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TITLE 6—AGRICULTURAL CREDIT

Chapter II—Production and Marketing Administration (Commodity Credit)

[1948 C. C. C. Cotton Form 2]

PART 256—COTTON LOANS

1948 INTERIM COTTON LOAN INSTRUCTIONS

Commodity Credit Corporation (hereinafter referred to as CCC) will make loans available to eligible producers on eligible cotton of the 1948 crop harvested prior to the beginning of the regular 1948 Cotton Loan Program. These instructions state the requirements of CCC with reference to such loans.

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AUTHORITY: §§ 256.201 to 256.215, inclusive, issued under sec. 302, 52 Stat. 43, as amended; 7 U. S. C. 1302.

§ 256.201 *Definitions.* As used in §§ 256.201 to 256.215, inclusive, unless the context otherwise requires, the following terms will be construed respectively to mean:

(a) *Eligible producer.* An eligible producer shall be any person (individual, partnership, firm, corporation, association, joint-stock company, trust, estate, or other legal entity, or a State or political subdivision thereof, or an agency of such State or political subdivision) producing cotton in 1948 in the capacity of landowner, landlord, tenant, or sharecropper. Except as provided below, two or more producers may not obtain a joint loan. If the eligible cotton produced on a farm has been divided among the producers entitled to share in such cotton, each landlord, tenant, and sharecropper may obtain a loan on his separate share. If the cotton has not been divided, the landlord and one or more of the share tenants or sharecroppers may obtain a

joint loan on their shares of such cotton. In no case shall a share tenant or sharecropper obtain a loan individually on cotton in which a landlord has an interest. In any case where a landlord obtains a loan on cotton in which a share tenant or sharecropper has an interest, he must have the legal right to do so, and the share tenant or sharecropper must be paid his pro rata share of the proceeds.

(b) *Eligible cotton.* Eligible cotton shall be cotton produced in the United States in 1948 which meets the following requirements:

(1) Such cotton must be of a grade and staple specified in the Table of Premiums and Discounts at the end of §§ 256.201 to 256.215, inclusive.

(2) Such cotton must be represented by warehouse receipts complying with the provisions of § 256.210.

(3) Such cotton must not be compressed to high density.

(4) Such cotton must not be false-packed, water-packed, reginned or re-packed and must not have been classed as oily, sandy, dusty, or seedy or reduced in grade because of extraneous matter (such as needle grass).

(5) Such cotton must be free and clear of all liens and encumbrances, except those in favor of the warehouse in which the cotton is stored, as specified in the Warehouseman's Certificate and Storage Agreement in the 1948 Cotton Producer's Note and Loan Agreement (1948 CCC Cotton Form M) (hereinafter referred to as "Form M").

(6) Such cotton must have been produced by the person tendering it for a loan, and he must have the legal right to pledge it as security for a loan.

(7) If the person tendering such cotton for a loan is a landlord or landowner, the cotton must not have been acquired by him directly or indirectly from a share tenant or sharecropper and must not have been received in payment of fixed or standing rent; and if it was produced by him in the capacity of landlord, share tenant, or sharecropper, it must be his separate share of the crop, unless he is a landlord and is tendering cotton in which both he and a share tenant or sharecropper have an interest.

(8) Each bale of such cotton must weigh at least 300 pounds.

(c) *Approved lending agency.* An approved lending agency shall be any bank,

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corporation, partnership, association, or person who has executed a Lending Agency Agreement (CCC Cotton Form N) covering loans on 1948 crop cotton.

(d) *Eligible paper.* Eligible paper shall be a Form M, duly executed after June 1, 1943, and prior to September 1, 1943. State documentary revenue stamps should be affixed thereto where required by law. (A Form M executed by an administrator, executor, or trustee, will be acceptable only where valid in law and must be submitted for a direct loan by CCC unless accompanied by a repurchase agreement of the Lending Agency. Copies of this agreement may be obtained from the New Orleans Office, Commodity Credit Corporation, Production and Marketing Administration, New Orleans 12, Louisiana, (hereinafter referred to as the New Orleans Office).)

§ 256.202 *Forms.* The following documents must be delivered by the lending agency upon tender of notes to CCC for purchase:

(a) Form M complying with the provisions of § 256.201 (d)

(b) Warehouse receipts complying with the provisions of § 256.210.

(c) Lending Agency's Letter of Transmittal (C. C. C. Cotton Form O)

§ 256.203 *Amount.* The base loan rate applicable at each approved warehouse will be shown in a "Schedule of Base Loan Rates by Cities and Counties for Cotton Entering the 1948 Interim Cotton Loan" issued for this program by the New Orleans Office. Premiums and discounts applicable to each grade and

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staple length are shown in the table at the end of §§ 256.201 to 256.215, inclusive. Loans will not be made on grades or staple lengths of cotton not shown in such table. All loans will be made on the gross weight of the lint cotton, and an allowance of 7 pounds will be made for each bale wrapped in cotton bagging.

§ 256.204 *Interest.* Loans shall bear interest at the rate of 3 percent per annum from the date of disbursement.

§ 256.205 *Maturity.* Loans mature August 31, 1948, on demand by CCC. If the producer does not repay his loan by maturity, CCC shall have the right to sell the cotton in satisfaction of the loan in accordance with the provisions of the loan agreement, by pooling or otherwise.

§ 256.206 *Classification of cotton.* All cotton must be classified by a Board of Cotton Examiners of the United States Department of Agriculture. Warehouseman should forward samples to the Board of Cotton Examiners serving the district in which the warehouse is located (the Austin, Corpus Christi, Dallas, Houston, and Galveston, Texas, offices will be open for classing cotton under this program) and a list showing the class of the cotton will be returned by the board. Instructions have been issued to approved warehouses concerning sampling and forwarding of samples and recording the class of the cotton in Form M. Form 1 Classification Memorandum of the United States Department of Agriculture will also be accepted as evidence of the class of cotton: *Provided*, The sample is a representative cut sample drawn in accordance with instructions to organized groups for sampling cotton under the 1948 Smith-Doxey Program.

A charge of 20 cents per bale shall be collected from the producer for all cotton from which samples are drawn and submitted to a Board of Cotton Examiners for classification, except that no charge shall be collected for samples submitted for a Form 1 classification. The Boards of Cotton Examiners will make collections for classing charges from the warehousemen at the end of each month. A certified check, cashier's check, or postal money order payable to Treasurer of United States % Commodity Credit Corporation must be sent to the Board of Cotton Examiners by each warehouseman in payment of these charges.

§ 256.207 *Preparation of documents.* A producer desiring to obtain a loan may obtain the necessary forms from approved cotton warehouses and also from persons approved by the county agricultural conservation association committees in the cotton-producing areas to assist producers in preparing and executing the loan forms. Only persons approved by such committees for such purpose may execute the Clerk's Certificate in Form M. Such persons are permitted to collect fees from producers not to exceed the fees set out in section 5 of the 1947 Cotton Loan Instructions (1947 C. C. C. Cotton Form 1). All entries must be made with ink, indelible pencil, or typewriter in the manner indicated therein, and no docu-

ments containing additions, alterations or erasures will be accepted by CCC. A duplicate copy shall be prepared and retained by the producer. The Schedule of Pledged Cotton must represent cotton of only one grade and staple length.

§ 256.208 *Certification of producer.* As evidence that the producer is entitled to a loan, CCC will accept the Clerk's Certificate on Form M.

§ 256.209 *Approved warehouses.* Warehouse receipts representing eligible cotton will be accepted as security for loans made pursuant to Form M only if issued by warehousemen approved by CCC. Warehousemen desiring to be approved should communicate with the New Orleans Office. When warehouses are approved, notification will be given either by letter or published lists. Warehouse receipts will also be acceptable if issued by warehousemen approved by the New Orleans Office under the 1948 Cotton Loan Program. All cotton pledged as security for any one loan must be in the same warehouse.

The Warehouseman is required, as provided in the Warehouseman's Certificate and Storage Agreement in Form M, to draw representative samples from the bales and to deliver or forward such samples to a Board of Cotton Examiners for classing, except where Form 1 Classification Memorandum of the U. S. Department of Agriculture is used.

§ 256.210 *Warehouse receipts.* Only negotiable warehouse receipts issued by an approved warehouse dated on or prior to the date of the producer's note and properly assigned by an endorsement in blank so as to vest title in the holders or issued to bearer will be acceptable. They must set out in their written or printed terms a description by tag number and weight of the bale represented thereby and all other facts and statements required to be stated in the written or printed terms of a warehouse receipt under the provisions of section 2 of the Uniform Warehouse Receipts Act. Warehouse receipts which by their terms will expire prior to July 31, 1939, must bear an endorsement of the warehouse extending the terms of the warehouse receipt through July 31, 1949. Block warehouse receipts will not be accepted.

§ 256.211 *Warehouse charges.* The warehouseman's charges are limited and his obligation defined by the Warehouseman's Certificate and Storage Agreement contained in Form M. This should be read carefully and must be executed by the warehouseman issuing the cotton warehouse receipts pledged as collateral to the producer's note. All warehouse charges must be paid to the dates of the warehouse receipts.

§ 256.212 *Liens.* Eligible cotton must be free and clear of all liens except in favor of the warehouse in which the cotton is stored, as specified in the Warehouseman's Certificate and Storage Agreement in Form M. The names of the holders of all existing liens on cotton tendered as security for a loan, such as landlords, laborers, or mortgagees (but not warehousemen) must be listed in the

space provided therefor in Form M, and the lienholders so listed must execute the Lienholders' Waiver in such form. If the borrower is a tenant or sharecropper, the landlord must be listed in the List of Lienholders and must sign the lien waiver whether or not he claims a lien, unless the Producer's Note is signed jointly by the landlord and the tenant or sharecropper. A misrepresentation as to prior liens, or otherwise, will render the producer personally liable under the terms of the Loan Agreement and subject him to criminal prosecution under the provisions of section 35 (A) of the Criminal Code of the United States (18 U. S. C. 80 (1940)). The Lienholders' Waiver in Form M must be signed personally by all lienholders listed or by their agents, or, if a corporation, by the designated officer thereof customarily authorized to execute such instruments, in which case the duly executed authority need not be attached.

§ 256.213 *Time and manner of tendering loans for purchase.* Loans made by a lending agency which has executed and delivered a Lending Agency Agreement (C. C. C. Cotton Form N) to the New Orleans Office, prior to the making of the loan will be eligible for purchase by CCC. C. C. C. Cotton Forms N are obtainable only from the New Orleans Office. Under the terms of this agreement, lending agencies are required to tender to Commodity Credit Corporation, New Orleans 12, Louisiana, between September 1, 1948, and September 15, 1948, on Lending Agency's Letter of Transmittal (C. C. C. Cotton Form O) executed in triplicate, all notes on Form M, with collateral attached, which have not been paid by the producers. Upon receipt by CCC, the loan papers will be examined, and if found correct, will be approved and purchased. Unless the producer redeems the pledged cotton or converts his loan to a loan under the regular 1948 Cotton Loan Program prior to September 1, 1948, CCC will sell such cotton, by pooling or otherwise, as provided in Form M.

§ 256.214 *Lending agency.* The lending agency shall endorse the notes of producers as provided in Form M. Care should be exercised by the lending agency to determine that the warehouse receipts are genuine. No provision is made for any deduction from the loan proceeds by the lending agency as a charge for handling the loan documents, except the authorized Clerk's fee in case the lending agency has executed the Clerk's Certificate in Form M.

§ 256.215 *Repayments.* No partial release of the cotton securing a note will be permitted. If a producer desires to repay his loan while the note is held by the lending agency, payment should be made directly to the lending agency. In such case, the lending agency is entitled to retain the principal amount of the note plus three percent interest.

Dated this 23d day of June 1948.

[SEAL] RALPH S. TRIGG,
President,
Commodity Credit Corporation.

PREMIUMS AND DISCOUNTS FOR ALL QUALITIES OF 1948 AMERICAN UPLAND COTTON

[Basis 1½/16 inch middling]

| Grade | Staple length (inches) | | | | | | | | | | | | | |
|--------------------------|------------------------|--------|--------|--------|--------|--------|--------|--------|--------|--------|--------|--------|--------|------------------|
| | 1½/16 | 3/8 | 7/16 | 1/2 | 5/8 | 1 | 1 1/8 | 1 1/4 | 1 1/2 | 1 3/4 | 1 7/8 | 2 | 2 1/8 | 2 1/4 and longer |
| White and extra white: | Points | Points | Points | Points | Points | Points | Points | Points | Points | Points | Points | Points | Points | Points |
| Good middling and better | -230 | -145 | -49 | 59 | 85 | 125 | 170 | 215 | 250 | 285 | 320 | 355 | 390 | 425 |
| Strict middling | -230 | -160 | -45 | 35 | 70 | 110 | 155 | 200 | 245 | 290 | 335 | 380 | 425 | 470 |
| Middling | -325 | -195 | -60 | Base | 25 | 75 | 120 | 165 | 210 | 255 | 300 | 345 | 390 | 435 |
| Strict low middling | -420 | -310 | -100 | -110 | -80 | -50 | -20 | 10 | 40 | 70 | 100 | 130 | 160 | 190 |
| Low middling | -525 | -415 | -155 | -165 | -135 | -105 | -75 | -45 | -15 | 15 | 45 | 75 | 105 | 135 |
| Strict good ordinary | -1,245 | -1,105 | -970 | -830 | -725 | -625 | -525 | -425 | -325 | -225 | -125 | -25 | 75 | 175 |
| Good ordinary | -1,465 | -1,325 | -1,225 | -1,135 | -1,035 | -935 | -835 | -735 | -635 | -535 | -435 | -335 | -235 | -135 |
| Spotted: | | | | | | | | | | | | | | |
| Good middling | -410 | -255 | -100 | -75 | -60 | -45 | -30 | -15 | 10 | 25 | 40 | 55 | 70 | 85 |
| Strict middling | -420 | -275 | -100 | -75 | -60 | -45 | -30 | -15 | 10 | 25 | 40 | 55 | 70 | 85 |
| Middling | -630 | -470 | -320 | -235 | -200 | -165 | -130 | -95 | -60 | -25 | 10 | 25 | 40 | 55 |
| Strict low middling | -1,010 | -820 | -705 | -605 | -505 | -405 | -305 | -205 | -105 | -5 | 20 | 35 | 50 | 65 |
| Low middling | -1,410 | -1,235 | -1,170 | -1,065 | -965 | -865 | -765 | -665 | -565 | -465 | -365 | -265 | -165 | -65 |
| Tinged: | | | | | | | | | | | | | | |
| Good middling | -685 | -785 | -700 | -625 | -550 | -475 | -400 | -325 | -250 | -175 | -100 | -25 | 50 | 125 |
| Strict middling | -1,020 | -835 | -745 | -670 | -595 | -520 | -445 | -370 | -295 | -220 | -145 | -70 | 5 | 80 |
| Middling | -1,230 | -1,080 | -995 | -920 | -845 | -770 | -695 | -620 | -545 | -470 | -395 | -320 | -245 | -170 |
| Strict low middling | -1,550 | -1,330 | -1,225 | -1,120 | -1,015 | -910 | -805 | -700 | -595 | -490 | -385 | -280 | -175 | -70 |
| Low middling | -1,725 | -1,540 | -1,445 | -1,370 | -1,295 | -1,220 | -1,145 | -1,070 | -995 | -920 | -845 | -770 | -695 | -620 |
| Yellow stained: | | | | | | | | | | | | | | |
| Good middling | -1,530 | -1,110 | -1,020 | -945 | -870 | -795 | -720 | -645 | -570 | -495 | -420 | -345 | -270 | -195 |
| Strict middling | -1,325 | -1,145 | -1,070 | -995 | -920 | -845 | -770 | -695 | -620 | -545 | -470 | -395 | -320 | -245 |
| Middling | -1,470 | -1,270 | -1,175 | -1,105 | -1,030 | -955 | -880 | -805 | -730 | -655 | -580 | -505 | -430 | -355 |
| Gray: | | | | | | | | | | | | | | |
| Good middling | -525 | -370 | -300 | -220 | -210 | -200 | -190 | -180 | -170 | -160 | -150 | -140 | -130 | -120 |
| Strict middling | -570 | -410 | -340 | -265 | -250 | -240 | -230 | -220 | -210 | -200 | -190 | -180 | -170 | -160 |
| Middling | -665 | -495 | -420 | -345 | -335 | -325 | -315 | -305 | -295 | -285 | -275 | -265 | -255 | -245 |

[F. R. Doc. 48-5763; Filed, June 25, 1948; 8:52 a. m.]

Chapter III—Farmers' Home Administration, Department of Agriculture

Subchapter A—Administration

PART 300—GENERAL

DELEGATION OF AUTHORITY TO ADVERTISE

Section 300.20, *Delegation of authority to advertise*, in Chapter III of Title 6, Code of Federal Regulations (CFR, Cum. Supp., Chapter III, Subchapter A, as amended by 12 F. R. 5297 and 13 F. R. 431) is amended, effective July 1, 1948, to read as follows:

§ 300.20 *Delegation of authority to advertise.* (a) Effective July 1, 1948, and for the fiscal year ending June 30, 1949, the Administrator and certain designated officials of the Farmers Home Administration within their jurisdictions are authorized to incur expense for advertising in newspapers and other publications as hereinafter specifically set forth.

(1) State Directors; State Field Representatives; and County Supervisors may advertise public and private foreclosure sales of real and personal property under lien to the Farmers Home Administration (and its predecessor agencies) as required by State laws or by orders of courts of competent jurisdiction.

(2) Chief of the Administrative Services Division; Area Finance Managers; Area Chiefs, Administrative Services Divisions; and State Director, San Juan, Puerto Rico, may advertise:

(i) In accordance with the applicable provisions of law, the dissolution of corporations and associations (including State Rural Rehabilitation Corporations, Defense Relocation Corporations, Purchasing Associations, and similar associations) and the sale and disposal of all real and personal property under the jurisdiction of the Farmers Home Administration.

(ii) In connection with the solicitation of bids for the procurement of office and storage space, services, materials, supplies, and equipment.

(b) This authority includes the selection of county, city, or other newspapers, appropriate trade journals, or other publications of limited or general circulation; and the placing therein of display or other advertisement which will be sufficient notification to the public of any particular proposal. For any single proposal, no advertisement will appear in more than fifteen newspapers or other publications, nor will more than five insertions be made in the same newspaper or publication, except where a larger number of newspapers, or other publications, or a greater number of insertions, are required by State laws, or by orders of a court of competent jurisdiction, in which case the required number of newspapers or other publications, or the required number of insertions, or both, will be limited to the number required by such State laws or by such a court order. (R. S. 3828, sec. 12, 60 Stat. 809; 44 U. S. C. 324.)

Issued this 23d day of June 1948.

[SEAL] CHARLES F. BRAININ, Secretary of Agriculture.

[F. R. Doc. 48-5763; Filed, June 25, 1948; 8:53 a. m.]

Chapter V—Production and Marketing Administration (Division Programs)

[Supp. Announcement 1]

PART 503—COTTON EXPORT PROGRAM

SUPPLEMENTAL ANNOUNCEMENT TO TERMS AND CONDITIONS OF COTTON SALES FOR EXPORT PROGRAM

The Terms and Conditions of Cotton Sales for Export Program as revised May

27, 1948 (13 F. R. 2946), is hereby amended as to all export sales of which notice is received after 3:00 p. m., e. s. t., June 23, 1948, as follows:

1. Sections 503.2 (g) and 503.6 (e) are deleted.

2. Section 503.2 (b) is amended to read as follows:

(b) The payment shall be at the rate announced by the Secretary and in effect at the time the New Orleans Office receives notice of the export sale.

Effective 3:00 p. m., e. s. t., June 23, 1948, and until otherwise announced, the export differential applicable under the Terms and Conditions of the Cotton Sales for Export Program, shall be 10 cents per bale.

(Sec. 32, 49 Stat. 774, as amended; 7 U. S. C. 612c)

Dated this 23d day of June 1948.

[SEAL] RALPH S. TRIGG, Authorized Representative of the Secretary of Agriculture.

[F. R. Doc. 48-5763; Filed, June 25, 1948; 8:52 a. m.]

TITLE 7—AGRICULTURE

Chapter IX—Production and Marketing Administration (Marketing Agreements and Orders)

PART 910—FRESH PEAS AND CAULIFLOWER GROWN IN ALAMOSA, RIO GRANDE, CONEJOS, COSTILLA, AND SAGUACHE COUNTIES IN COLORADO

DETERMINATION RELATIVE TO BUDGET OF EXPENSES AND FIXING OF RATE OF ASSESSMENT FOR 1948-49 FISCAL YEAR

On May 25, 1948, notice of proposed rule making was published in the FEDERAL REGISTER (13 F. R. 2793) regarding the budget of expenses and the fixing of

RULES AND REGULATIONS

the rate of assessment for the 1948-49 fiscal year under Marketing Agreement No. 67, as amended, and Order No. 10, as amended (7 CFR, Cum. Supp., 910.1 et seq.) regulating the handling of fresh peas and cauliflower grown in the counties of Alamosa, Rio Grande, Conejos, Costilla, Saguahe, in the State of Colorado. This regulatory program is effective pursuant to the Agricultural Marketing Agreement Act of 1937, as amended. After consideration of all relevant matters presented, including the proposals set forth in the aforesaid notice which were submitted by the Administrative Committee (established pursuant to the amended marketing agreement and order) it is hereby found and determined that:

§ 910.202 *Budget of expenses and rate of assessment for the 1948-49 fiscal year*

(a) The expenses necessary to be incurred by the Administrative Committee, established pursuant to the provisions of the aforesaid amended marketing agreement and order, for the maintenance and functioning of such committee during the fiscal year beginning, June 1, 1948, and ending May 31, 1949, both dates inclusive, will amount to \$2,350.00, and the rate of assessment to be paid, in accordance with the aforesaid amended marketing agreement and order by each handler who first handles fresh peas or cauliflower shall be: (1) \$1.25 per straight car of peas or cauliflower or per mixed car of peas and cauliflower, and (2) when less than a carload is shipped, one-half cent (\$0.005) per bushel of peas or per crate of cauliflower or the respective equivalent quantities thereof, but in no event shall the assessment be in excess of \$1.25 on a shipment of peas or cauliflower less than a carload lot, or mixed shipment thereof less than a carload lot; and the aforesaid rate of assessment is hereby fixed as each handler's pro rata share of the aforesaid expenses.

(b) Compliance with the 30-day effective date requirement of the Administrative Procedure Act (60 Stat. 237; 5 U. S. C. 1946 et. 1001 et seq.) is impracticable, unnecessary, and contrary to the public interest, in that: (1) The aforesaid rate of assessment is applicable, pursuant to the amended marketing agreement and order, to fresh peas and cauliflower handled during the fiscal year beginning June 1, 1948, and ending May 31, 1949, both dates inclusive; (2) initial shipments of peas are expected to begin around July 1, (3) the expenses of operating this regulatory program from and after June 1, 1948, have been paid, in accordance with the applicable provisions of the amended marketing agreement and order, with funds representing an accumulated contingency reserve; (4) the aforesaid contingency reserve will not constitute a reasonable amount on the basis of which current operations may be carried on satisfactorily, (5) in order for the regulatory assessments to be collected, it is essential that the specification of the assessment rate be issued immediately, to become effective at the time hereinafter specified, so as to enable the Administrative Committee to perform its duties and functions under the

aforesaid amended marketing agreement and order; (6) handlers will not be required to make any special preparation to comply with the requirements of this order; and (7) a reasonable time is permitted, under the circumstances, for preparation for such effective date.

(c) As used in this section, the terms "handler," "shipped," "fiscal year," "shipment," "peas," and "cauliflower" shall have the same meaning as is given to each such term when used in said amended marketing agreement and order.

(d) The provisions of this section shall become effective at 12:01 a. m., m. s. t., July 6, 1948. (48 Stat. 31, as amended; 7 U. S. C. 601 et seq.)

Issued this 23d day of June 1948.

[SEAL]

CHARLES F. BRANNAN,
Secretary of Agriculture.

[F. R. Doc. 48-5766; Filed, June 25, 1948;
8:53 a. m.]

[Orange Reg. 148]

PART. 933—ORANGES, GRAPEFRUIT, AND
TANGERINES GROWN IN FLORIDA

LIMITATION OF SHIPMENTS

§ 933.395 *Orange Regulation 148—*

(a) *Findings.* (1) Pursuant to the marketing agreement, as amended, and Order No. 33, as amended (7 CFR, 1946 Supp., Part 933, 12 F. R. 7383), regulating the handling of oranges, grapefruit, and tangerines grown in the State of Florida, effective under the applicable provisions of the Agricultural Marketing Agreement Act of 1937, as amended, and upon the basis of the recommendations of the committees established under the aforesaid amended marketing agreement and order, and upon other available information, it is hereby found that the limitation of shipments of oranges, as hereinafter provided, will tend to effectuate the declared policy of the act.

(2) It is hereby further found that compliance with the preliminary notice and public rule-making procedure requirements and the 30-day effective date requirement of the Administrative Procedure Act (60 Stat. 237; 5 U. S. C. 1001 et seq.) is impracticable, unnecessary, and contrary to the public interest in that the time intervening between the date when information upon which this section is based became available and the time when this section must become effective in order to effectuate the declared policy of the Agricultural Marketing Agreement Act of 1937, as amended, is insufficient for such compliance, and a reasonable time is permitted, under the circumstances, for preparation for such effective date.

(b) *Order.* (1) Except as otherwise provided in paragraph (b) (2) of this section, any handler may ship during the period beginning at 12:01 a. m., e. s. t., June 28, 1948, and ending at 12:01 a. m., e. s. t., July 31, 1948, any oranges, except Temple oranges, grown in the State of Florida which are of a size not larger than a size that will pack 126 oranges, packed in accordance with the

requirements of a standard pack, in a standard nailed box if such oranges grade U. S. No. 3 and not more than ten (10) percent, by count, of the oranges in the container are oranges which are not free from serious damage due to dryness or mushy condition.

(2) During the period beginning at 12:01 a. m., e. s. t., June 28, 1948, and ending at 12:01 a. m., e. s. t., July 5, 1948, no handler shall ship:

(i) Any oranges, except Temple oranges, grown in the State of Florida which grade U. S. No. 3 or lower than U. S. No. 3 grade;

(ii) Any oranges, except Temple oranges, grown in the State of Florida which grade U. S. Fancy, U. S. No. 1, U. S. No. 1 Bright, U. S. No. 1 Golden, U. S. No. 1 Bronze, or U. S. No. 1 Russet unless such oranges are of a size not larger than a size that will pack 126 oranges, packed in accordance with the requirements of a standard pack, in a standard nailed box;

(iii) Any oranges, except Temple oranges, grown in Regulation Area I which grade U. S. Combination unless such oranges are of a size not larger than a size that will pack 126 oranges, packed in accordance with the requirements of a standard pack, in a standard nailed box;

(iv) Any oranges, except Temple oranges, grown in Regulation Area I which grade U. S. Combination Russet or U. S. No. 2 Russet; or

(v) Any oranges, except Temple oranges, grown in the State of Florida which are of a size larger than a size that will pack 150 oranges packed in accordance with the requirements of a standard pack, in a standard nailed box: *Provided*, That, such maximum size restriction shall not be applicable to shipments of oranges meeting the requirements of subdivision (ii) or (iii) of this subparagraph.

(3) As used in this section, the terms "handler," "ship," and "Regulation Area I," shall each have the same meaning as when used in said amended marketing agreement and order; and the terms "U. S. Fancy," "U. S. No. 1," "U. S. No. 1 Bright," "U. S. No. 1 Golden," "U. S. No. 1 Bronze," "U. S. No. 1 Russet," "U. S. Combination Russet," "U. S. Combination," "U. S. No. 2 Russet," "U. S. No. 3," "standard pack," "standard nailed box," "serious damage," and "dryness or mushy conditions" shall each have the same meaning as when used in the United States Standards for citrus fruits, as amended (12 F. R. 6277)

Shipments of Temple oranges grown in the State of Florida are subject to the provisions of Orange Regulation 138 (13 F. R. 793) (48 Stat. 31, as amended; 7 U. S. C. 601 et seq.)

Done at Washington, D. C., this 24th day of June 1948.

[SEAL]

S. R. SMITH,
Director, Fruit and Vegetable
Branch, Production and Mar-
keting Administration.

[F. R. Doc. 48-5803; Filed, June 25, 1948;
9:54 a. m.]

[Lemon Reg. 280]

PART 953—LEMONS GROWN IN CALIFORNIA
AND ARIZONA

LIMITATION OF SHIPMENTS

§ 953.387 *Lemon Regulation 280*—(a) *Findings.* (1) Pursuant to the marketing agreement, as amended, and Order No. 53, as amended (7 CFR, Cum. Supp., 953.1 et seq., 13 F. R. 766) regulating the handling of lemons grown in the State of California or in the State of Arizona, effective under the applicable provisions of the Agricultural Marketing Agreement Act of 1937, as amended, and upon the basis of the recommendation and information submitted by the Lemon Administrative Committee, established under the said amended marketing agreement and order, and upon other available information, it is hereby found that the limitation of the quantity of such lemons which may be handled, as hereinafter provided, will tend to effectuate the declared policy of the act.

(2) It is hereby further found that compliance with the preliminary notice and public rule-making procedure requirements and the 30-day effective date requirement of the Administrative Procedure Act (60 Stat. 237; 5 U. S. C. 1001 et seq.) is impracticable, unnecessary, and contrary to the public interest in that the time intervening between the date when information upon which this section is based became available and the time when this section must become effective in order to effectuate the declared policy of the Agricultural Marketing Agreement Act of 1937, as amended, is insufficient for such compliance, and a reasonable time is permitted, under the circumstances, for preparation for such effective date.

(b) *Order* (1) The quantity of lemons grown in the State of California or in the State of Arizona which may be handled during the period beginning at 12:01 a. m., P. s. t., June 27, 1948, and ending at 12:01 a. m., P. s. t., July 4, 1948, is hereby fixed as follows:

(i) District 1. 725 carloads.

(ii) District 2: unlimited movement.

(2) The prorate base of each handler who has made application therefor, as provided in the said amended marketing agreement and order, is hereby fixed in accordance with the prorate base schedule which is attached to Lemon Regulation 279 (13 F. R. 3313) and made a part hereof by this reference.

(3) As used in this section, "handled," "handler," "carloads," "prorate base," "District 1," and "District 2" shall have the same meaning as is given to each such term in the said amended marketing agreement and order (48 Stat. 31, as amended; 7 U. S. C. 601 et seq.)

Done at Washington, D. C., this 24th day of June 1948.

[SEAL]

S. R. SMITH,
Director, Fruit and Vegetable
Branch, Production and Mar-
keting Administration

[F. R. Doc. 48-5802; Filed, June 25, 1948;
9:54 a. m.]

[Orange Reg. 230]

PART 966—ORANGES GROWN IN CALIFORNIA
AND ARIZONA

LIMITATION OF SHIPMENTS

§ 966.382 *Orange Regulation 236*—(a) *Findings.* (1) Pursuant to the provisions of Order No. 66 (7 CFR, Cum. Supp., 966.1 et seq.) regulating the handling of oranges grown in the State of California or in the State of Arizona, effective under the applicable provisions of the Agricultural Marketing Agreement Act of 1937, as amended, and upon the basis of the recommendation and information submitted by the Orange Administrative Committee, established under the said order, and upon other available information, it is hereby found that the limitation of the quantity of such oranges which may be handled, as hereinafter provided, will tend to effectuate the declared policy of the act.

(2) It is hereby further found that compliance with the preliminary notice and public rule-making procedure requirements and the 30-day effective date requirement of the Administrative Procedure Act (60 Stat. 237; 5 U. S. C. 1001 et seq.) is impracticable, unnecessary, and contrary to the public interest in that the time intervening between the date when information upon which this section is based became available and the time when this section must become effective in order to effectuate the declared policy of the Agricultural Marketing Agreement Act of 1937, as amended, is insufficient for such compliance, and a reasonable time is permitted, under the circumstances, for preparation for such effective date.

(b) *Order* (1) The quantity of oranges grown in the State of California or in the State of Arizona which may be handled during the period beginning at 12:01 a. m., P. s. t., June 27, 1948, and ending at 12:01 a. m., P. s. t., July 4, 1948, is hereby fixed as follows:

(i) *Valencia oranges.* (a) Prorate District No. 1, unlimited movement; (b) Prorate District No. 2, 1150 carloads; (c) Prorate District No. 3, unlimited movement.

(ii) *Oranges other than Valencia oranges.* Prorate Districts Nos. 1, 2, and 3, no movement.

(2) The prorate base of each handler who has made application therefor, as provided in the said order, is hereby fixed in accordance with the prorate base schedule which is attached hereto and made a part hereof by this reference.

(3) As used in this section, "handled," "handler," "carloads," and "prorate base" shall have the same meaning as is given to each such term in the said order; and "Prorate District No. 1," "Prorate District No. 2," and "Prorate District No. 3" shall have the same meaning as is given to each such term in § 966.107 of the rules and regulations (11 F. R. 10258) issued pursuant to said order. (48 Stat. 31, as amended; 7 U. S. C. 601 et seq.)

Done at Washington, D. C., this 24th day of June 1948.

[SEAL]

S. R. SMITH,
Director, Fruit and Vegetable
Branch, Production and Mar-
keting Administration

PRORATE BASE SCHEDULE

[12:01 a. m. June 27, 1948, to 12:01 a. m.
July 4, 1948]

VALENCIA ORANGES

Prorate District No. 2

| Handler | Prorate base (percent) |
|---|---------------------------|
| Total | 100.0000 |
| A. F. G. Alta Loma | .0755 |
| A. F. G. Corona | .1233 |
| A. F. G. Fullerton | .7340 |
| A. F. G. Orange | .5377 |
| A. F. G. Riverside | .1116 |
| A. F. G. San Juan Capistrano | .8332 |
| A. F. G. Santa Paula | .5634 |
| Hazeltine Packing Co. | .4042 |
| Placentia Pioneer Valley Growers Association | .6270 |
| Signal Fruit Association | .1352 |
| Azuca Citrus Association | .3731 |
| Covina Valley Orange Co. | .0428 |
| Damerel-Allicon Company | .8411 |
| Glendora Mutual Orange Associa- tion | .3934 |
| Irwindale Citrus Association | .3832 |
| Puente Mutual Citrus Association | .2122 |
| Valencia Heights Orchard Associa- tion | .4631 |
| Covina Citrus Association | 1.1493 |
| Covina Orange Growers Associa- tion | .5295 |
| Glendora Citrus Association | .3724 |
| Glendora Hts. Orange & Lemon Growers Association | .0553 |
| Gold Buckle Association | .5363 |
| La Verne Orange Association | .6736 |
| Anahelm Citrus Fruit Association | 1.3511 |
| Anahelm Valencia Orange Associa- tion | 1.1167 |
| Eddington Fruit Co., Inc. | 2.6918 |
| Fullerton Mutual Orange Associa- tion | 1.3929 |
| La Habra Citrus Association | 1.6392 |
| Orange County Valencia Associa- tion | .8612 |
| Orangethrope Citrus Association | .9170 |
| Placentia Coop. Orange Associa- tion | .7443 |
| Yorba Linda Citrus Association, The | .6471 |
| Alta Loma Heights Cit. Association | .6000 |
| Citrus Fruit Growers | .1437 |
| Cucamonga Citrus Association | .2277 |
| Edwanda Citrus Fruit Association | .0372 |
| Mountain View Fruit Association | .0183 |
| Old Baldy Citrus Association | .1314 |
| Rialto Heights Orange Growers | .0584 |
| Upland Citrus Association | .3752 |
| Upland Heights Orange Associa- tion | .1532 |
| Consolidated Orange Growers | 1.8041 |
| Frances Citrus Association | 1.2361 |
| Garden Grove Citrus Association | 1.3898 |
| Goldenwest Citrus Association, The | 1.5420 |
| Irvine Valencia Growers | 2.6344 |
| Olive Heights Citrus Association | 1.6151 |
| Santa Ana-Tustin Mutual Citrus Association | 1.0441 |
| Santiago Orange Growers Associa- tion | 4.2022 |
| Tustin Hills Citrus Association | 2.1172 |
| Villa Park Orchards Association, The | 1.6192 |
| Bradford Brothers, Inc. | .7033 |
| Placentia Mutual Orange Associa- tion | 1.7677 |
| Placentia Orange Growers Associa- tion | 1.8002 |
| Yorba Orange Growers Associa- tion | .5231 |
| Call Ranch | .0743 |
| Corona Citrus Association | .5713 |
| Jamecon Company | .0420 |
| Orange Heights Orange Associa- tion | .3344 |
| Crafton Orange Growers Associa- tion | .4176 |

RULES AND REGULATIONS

PRORATE BASE SCHEDULE—Continued

VALENCIA ORANGES—continued

Prorate District No. 2—Continued

| Handler | Prorate base (percent) |
|---|------------------------|
| E. Highlands Citrus Association..... | 0.0805 |
| Fontana Citrus Association..... | .1187 |
| Highland Fruit Growers Association..... | .0472 |
| Redlands Heights Groves..... | .3005 |
| Redlands Orangedale Association..... | .3333 |
| Break & Sons, Allen..... | .0630 |
| Bryn Mawr Fruit Growers Association..... | .2798 |
| Krinard Packing Co..... | .3156 |
| Mission Citrus Association..... | .1712 |
| Redlands Coop. Fruit Association..... | .3663 |
| Redlands Orange Growers Association..... | .2533 |
| Redlands Select Groves..... | .3004 |
| Rialto Citrus Association..... | .2065 |
| Rialto Orange Co..... | .1577 |
| Southern Citrus Association..... | .1518 |
| United Citrus Growers..... | .1565 |
| Zillen Citrus Co..... | .0671 |
| Arlington Heights Citrus Co..... | .1120 |
| Brown Estate, L. V. W..... | .1273 |
| Gavilan Citrus Association..... | .1510 |
| Hemet Mutual Groves..... | .0665 |
| Highgrove Fruit Association..... | .0647 |
| McDermont Fruit Association..... | .1645 |
| Monte Vista Citrus Association..... | .1912 |
| National Orange Co..... | .0357 |
| Riverside Heights Orange Growers Association..... | .0621 |
| Sierra Vista Packing Association..... | .0602 |
| Victoria Avenue Citrus Association..... | .1939 |
| Claremont Citrus Association..... | .1780 |
| College Heights Orange and Lemon Association..... | .2786 |
| El Camino Citrus Association..... | .0952 |
| Indian Hill Citrus Association..... | .2002 |
| Pomona Fruit Growers Exchange..... | .4154 |
| Walnut Fruit Growers Association..... | .5694 |
| West Ontario Citrus Association..... | .4145 |
| El Cajon Valley Citrus Association..... | .2942 |
| Escondido Orange Association..... | 2.6029 |
| San Dimas Orange Growers Association..... | .5037 |
| Andrews Brothers of California..... | .3930 |
| Ball & Tweedy Association..... | .5365 |
| Canoga Citrus Association..... | 1.0693 |
| N. Whittier Heights Citrus Association..... | .9699 |
| San Fernando Fruit Growers Association..... | .6786 |
| San Fernando Heights Orange Association..... | 1.0800 |
| Sierra Madre-Lamanda Citrus Association..... | .4881 |
| Camarillo Citrus Association..... | 1.4843 |
| Fillmore Citrus Association..... | 3.7877 |
| Mupu Citrus Association..... | 3.1257 |
| Ojai Orange Association..... | 1.0528 |
| Plur Citrus Association..... | 2.0931 |
| Santa Paula Orange Association..... | 1.1882 |
| Tapo Citrus Association..... | 1.3039 |
| Ventura County Citrus Association..... | .0322 |
| Limoneira Co..... | .6197 |
| East Whittier Citrus Association..... | .3899 |
| El Ranchito Citrus Association..... | 1.0641 |
| Murphy Ranch Co..... | .4674 |
| Rivera Citrus Association..... | .4077 |
| Whittier Citrus Association..... | .6905 |
| Whittier Select Citrus Association..... | .4203 |
| Anaheim Coop. Orange Association..... | 1.1139 |
| Bryn Mawr Mutual Orange Association..... | .1143 |
| Chula Vista Mutual Orange Association..... | .1295 |
| Escondido Coop. Citrus Association..... | .4129 |
| Euclid Avenue Orange Association..... | .4936 |
| Foothill Citrus Union, Inc..... | .0343 |
| Fullerton Cooperative Orange Association..... | .4095 |
| Garden Grove Orange Coop., Inc..... | .6758 |
| Golden Orange Groves, Inc..... | .2072 |
| Highland Mutual Groves..... | .0322 |

PRORATE BASE SCHEDULE—Continued

VALENCIA ORANGES—continued

Prorate District No. 2—Continued

| Handler | Prorate base (percent) |
|---|------------------------|
| Index Mutual Association..... | 0.2280 |
| La Verne Coop. Citrus Association..... | 1.3198 |
| Mentone Heights Association..... | .0753 |
| Olive Hillside Groves..... | .5454 |
| Orange Coop. Citrus Association..... | .9329 |
| Redlands Foothill Groves..... | .6041 |
| Redlands Mutual Orange Association..... | .1350 |
| Riverside Citrus Association..... | .0580 |
| Ventura County Orange & Lemon Association..... | .9523 |
| Whittier Mutual Orange and Lemon Association..... | .1464 |
| Babijuce Corp. of California..... | .3389 |
| Banks Fruit Co..... | .2246 |
| Banks, L. M..... | .5159 |
| Borden Fruit Co..... | .8531 |
| California Associated Growers..... | .1786 |
| California Fruit Distributors..... | .0874 |
| Cherokee Citrus Co., Inc..... | .1365 |
| Chess Co., Meyer W..... | .2860 |
| Escondido Avocado Growers..... | .0202 |
| Evans Brothers Packing Co..... | .1446 |
| Gold Banner Association..... | .2848 |
| Granada Hills Packing Co..... | .0394 |
| Granada Packing House..... | 1.8067 |
| Hill, Fred A..... | .0678 |
| Inland Fruit Dealers..... | .0915 |
| Orange Belt Fruit Distributors..... | 1.8454 |
| Panno Fruit Co., Carlo..... | .0680 |
| Paramount Citrus Association, Inc..... | .6046 |
| Placentia Orchard Co..... | .4899 |
| San Antonio Orchard Co..... | .3574 |
| Snyder & Sons Co., W. A..... | .4707 |
| Stephens, T. F..... | .2263 |
| Torn Ranch..... | .0038 |
| Wall, E. T..... | .1286 |
| Webb Packing Co..... | .1079 |
| Western Fruit Growers, Inc., Reds..... | .7057 |

[F. R. Doc. 48-5804; Filed, June 25, 1948;
9:54 a. m.]

TITLE 10—ARMY

Chapter V—Military Reservations and National Cemeteries

PART 501—LIST OF EXECUTIVE ORDERS, PROCLAMATIONS AND PUBLIC LAND ORDERS AFFECTING MILITARY RESERVATIONS

ALASKA

CROSS REFERENCE: For order revoking Public Land Order 161, which withdrew public lands in Alaska for the use of the War Department as garrison and cemetery sites and which was listed in the tabulation contained in § 501.1, see Public Land Order 488 in the Appendix to Chapter I of Title 43, *infra*. For order revoking Public Land Order 96, which withdrew public lands in Alaska for the use of the War Department for military purposes, as modified by Public Land Order 334, see Public Land Order 489, *infra*.

TITLE 14—CIVIL AVIATION

Chapter II—Civil Aeronautics Administration

PART 625—NOTICE OF CONSTRUCTION OR ALTERATION

Due to the greatly increased number of civil airways established within the United States, and authorized off-airways operations for both visual and instrument weather conditions, the Admin-

istrator finds that it is necessary in the interest of safety in air commerce to inform airmen of the construction or alteration of certain structures which may, by reason of their height and distance from a landing area, become a hazard to air navigation, regardless of whether such landing areas are located along or near a civil airway. In order to inform airmen of such hazards, notice shall be given to the Administrator of Civil Aeronautics of the construction or alteration of any structure, the top or any part of which, by reason of such construction or alteration, exceeds in actual height the approximate ratio of 1:100 from the nearest boundary of a landing area. Elsewhere, with certain exceptions, notice shall be required only for those structures which exceed a height of 150 feet and are located along or near a civil airway. Other changes incorporated in this part, which was formerly designated as Part 525, include the listing of landing areas in the CAA Flight Information Manual, in lieu of a separate yearly publication by the Administration on November 1 of each calendar year, and notification of any change in the data respecting the alteration or construction which has been submitted to the Administrator in the prescribed form of notice.

Interested persons have been afforded an opportunity to participate in the making of this amendment, and due consideration has been given to all relevant matter presented.

Now therefore, pursuant to the authority vested in me by the Civil Aeronautics Act of 1938, as amended, particularly sections 308 and 1101 of said act, Part 625 of the regulations of the Administrator of Civil Aeronautics (14 CFR, Part 625) is hereby amended as follows:

| | |
|--------|-----------------|
| Sec. | Scope. |
| 625.0 | Structures. |
| 625.01 | Landing areas. |
| 625.02 | Form of notice. |
| 625.1 | Definitions. |
| 625.2 | |

AUTHORITY: §§ 625.0 to 625.2 issued under secs. 308, 1101, 52 Stat. 986, 1026; 49 U. S. C. 458, 671; Reorg. Plan No. III of 1940, 5 F. R. 2109; Reorg. Plan No. IV of 1940, 5 F. R. 2421.

§ 625.0 Scope.

§ 625.01 Structures. Any person engaging in the construction or alteration of the following structures, in other than congested parts of cities, towns, or settlements, shall give notice thereof to the Administrator of Civil Aeronautics:

(a) Any structure along, or within 20 miles of, a civil airway, the top or any part of which is, or may become, by reason of such construction or alteration, greater than 150 feet above ground level or above mean water level where the structure is, or will be, situated in or over navigable water.

(b) Any structure within 15,000 feet of the nearest boundary of a landing area, the top or any part of which is, or may become, by reason of such construction or alteration, greater than 5 feet above ground level, or above the mean water level (where the structure is, or will be, situated in or over navigable water), for each 500 feet or fraction thereof, of the distance that such struc-

ture is, or will be, situated from the nearest boundary of a landing area.

§ 625.02 *Landing areas.* Any person engaging in the construction of a landing area any boundary of which will be within 5 miles of the nearest boundary of an existing landing area, shall give notice thereof to the Administrator of Civil Aeronautics.

§ 625.1 *Form of notice.* (a) The notice of construction or alteration shall be submitted in triplicate on Form ACA-117, "Notice of Construction or Alteration of Structures; or Construction of New Landing Areas" (Appendix A)¹ at least 30 days, but not more than 60 days, prior to the date on which such construction or alteration is to begin: *Provided*, That in case of an emergency requiring immediate construction or alteration, such notice shall be given to the nearest representative of the Administrator in person, by telephone, telegraph, or other expeditious means, and the executed form shall be submitted within 5 days thereafter.

(b) The Administrator shall likewise be notified of any change in the date upon which the construction or alteration is to begin, or other data contained in the form of notice prescribed in paragraph (a)² of this section.

§ 625.2 *Definitions.* As used in this part:

(a) "Congested parts of cities, towns or settlements" means (1) sections of those cities, towns or settlements which have a population of less than 100,000, where a structure after construction or alteration will be shielded by existing structures of a permanent and substantial character, each of which is equal to or greater than the height of the completed structure, and (2) sections of those cities which have a population of more than 100,000, where it is evident beyond all reasonable doubt that a structure will not interfere with safety in air commerce, whether or not the structure is, or will become, by reason of the construction or alteration, greater in height than that of surrounding structures of a permanent and substantial character.

(b) "Landing area" means any locality of land or water, including airports and intermediate landing fields, which is located in the United States and is used, or intended to be used, for the landing and take-off of aircraft, whether or not facilities are provided for the shelter, servicing, or repair of aircraft, or for receiving or discharging passengers or cargo: *Provided*, That this regulation shall not apply to any landing area

which is not listed in the Civil Aeronautics Flight Information Manual.³

(c) "Boundary of a landing area" means (1) the limits of that part of a landing area maintained for the use of land aircraft in taking off or landing, or (2) the limits of that part of a landing area suitable for water aircraft in taking off or landing, which limits are defined as being 5,000 feet in all directions measured over open water from the principal ramp of the landing area or, if marked in accordance with standard practice, the limits so marked.

(d) "Structure" unless otherwise stated, means any form of construction of a permanent or temporary character, including any apparatus used in the construction, alteration, or repair of any such structure.

(e) "Alteration" means any change in a completed structure which (1) increases the height of the top or any part of the structure to, or above, the height specified in § 625.01, or (2) increases or decreases the height of the top or any part of the structure which is above the height specified in § 625.01.

Effective date. This amendment shall become effective July 15, 1948, except that, with respect to the construction or alteration of structures or landing areas already in progress on that date, and for which notice was not required by the previous provisions of this part, the prescribed notice shall not be required until August 1, 1948.

Note: The reporting requirements of this regulation have been approved by the Bureau of the Budget in accordance with the Federal Reports Act of 1942.

[SEAL]

D. W. RENTZEL,

Administrator of Civil Aeronautics.

[F. R. Doc. 48-5717; Filed, June 25, 1948; 8:46 a. m.]

TITLE 32—NATIONAL DEFENSE

Chapter XXIII—War Assets Administration

[Reg. 1, Order 2]

PART 8301—DESIGNATION OF DISPOSAL AGENCIES AND PROCEDURES FOR REPORTING SURPLUS PROPERTY LOCATED WITHIN THE CONTINENTAL UNITED STATES, ITS TERRITORIES AND POSSESSIONS

LOCATION OF DISPOSAL AGENCY OFFICES FOR FILING DECLARATIONS OF SURPLUS PROPERTY BY OWNING AGENCIES

War Assets Administration Regulation 1, Order 2, March 25, 1948, entitled "Location of Disposal Agency Offices for Filing Declarations of Surplus Property by Owning Agencies" (13 F. R. 1646) is hereby revised and amended as herein set forth.

³ A current list of all landing areas within the United States will be published by the Administrator in the CAA Flight Information Manual, for sale by the Superintendent of Documents, United States Government Printing Office, Washington 25, D. C. A list of the landing areas may also be obtained upon request made to the nearest regional office of the Civil Aeronautics Administration.

⁴ WAA Reg. 1 (12 F. R. 6601, 7810; 13 F. R. 1647, 2203).

§ 0301.52 *Location of disposal agency offices for filing declarations of surplus property by owning agencies.* (a) Except as provided in paragraph (b) declarations of surplus personal property located in the continental United States shall be filed at the following offices of the appropriate disposal agencies:

WAR ASSETS ADMINISTRATION

CAPITAL AND PRODUCTS CODES AND CONSUMER CODES

(Except aircraft and aircraft parts and electronic equipment)

Area and Address

Region 2. New York, N. Y. (Address—P. O. Box 216, Wall Street Station, New York 5, N. Y.) Territory: Connecticut, Maine, Massachusetts, New Hampshire, New Jersey (northern part) Counties of: Bergen, Essex, Hudson, Hunterdon, Middlesex, Monmouth, Morris, Passaic, Somerset, Sussex, Union, and Warren; New York, Rhode Island, Vermont.

Region 3. Philadelphia, Pa. (Address—Lafayette Bldg., Fifth and Chestnut Sts., Philadelphia, Pa.) Territory: Delaware, District of Columbia, Maryland, New Jersey, Counties of: Atlantic, Burlington, Camden, Cape May, Cumberland, Gloucester, Mercer, Ocean, and Salem; Pennsylvania (all except extreme western part), Counties of: Adams, Bedford, Berks, Blair, Bradford, Bucks, Cambria, Cameron, Carbon, Centre, Chester, Clearfield, Clinton, Columbia, Cumberland, Dauphin, Delaware, Elk, Franklin, Fulton, Huntingdon, Juniata, Lackawanna, Lancaster, Lebanon, Lehigh, Luzerne, Lycoming, McKean, Mifflin, Monroe, Montgomery, Montour, Northampton, Northumberland, Perry, Philadelphia, Pike, Potter, Schuylkill, Snyder, Sullivan, Surquehanna, Tioga, Union, Wayne, Wyoming, and York; Virginia, West Virginia.

Region 4. Cincinnati, Ohio. (Address—704 Race St., Cincinnati, Ohio) Territory: Indiana (central, southwestern, and southeastern part), Counties of: Bartholomew, Boone, Brown, Clark, Crawford, Daviess, Dearborn, Decatur, Delaware, Dubois, Fayette, Floyd, Franklin, Gibson, Greene, Hamilton, Hancock, Harrison, Hendricks, Henry, Jackson, Jefferson, Jennings, Johnson, Knox, Lawrence, Madison, Marion, Martin, Monroe, Morgan, Ohio, Orange, Owen, Perry, Pike, Posey, Putnam, Randolph, Riley, Rush, Scott, Shelby, Spencer, Sullivan, Switzerland, Tipton, Union, Vanderburgh, Warrick, Washington and Wayne; Kentucky, Ohio, all counties except: Allen, Auglaize, Defiance, Fulton, Hancock, Hardin, Henry, Lucas (Toledo), Mercer, Ottawa, Paulding, Putnam, Sandusky, Seneca, Van Wert, Williams, Wood, and Wyandot; Pennsylvania (western part), Counties of: Allegheny, Armstrong, Beaver, Butler, Clarion, Crawford, Erie, Fayette, Forest, Greene, Indiana, Jefferson, Lawrence, Mercer, Somerset, Venango, Warren, Washington and Westmoreland.

Region 5. Chicago, Ill. (Address—P. O. Box 897, Chicago 80, Ill.) Territory: Illinois (northern part); Counties of: Boone, Bureau, Carroll, Cass, Champaign, Christian, Clark, Coles, Cook, Cumberland, De Kalb, De Witt, Douglas, Du Page, Edgar, Ford, Fulton, Grundy, Hancock, Henderson, Henry, Iroquois, Jo Daviess, Kane, Kankakee, Kendall, Knox, Lake, La Salle, Lee, Livingston, Logan, McDonough, McHenry, McLean, Mason, Marshall, Macon, Menard, Mercer, Moultrie, Ogle, Peoria, Platt, Putnam, Rock Island, Sangamon, Schuyler, Shelby, Stark, Stephenson, Tazewell, Vermillion, Warren, Whitehall, Will, Winnebago, and Woodford; Indiana (northern part), Counties of: Adams, Allen, Benton, Blackford, Carroll, Cass, Clay, Clinton, De Kalb, Elkhart, Fountain, Fulton, Grant, Howard, Huntington, Jasper, Jay, Keokuck, La Grange, Lake, La Porte, Marshall, Miami, Montgomery, Newton, Noble,

¹ Filed as a part of the original document. Copies of this form may be obtained upon request to the Civil Aeronautics Administration, Washington 25, D. C., or to the nearest regional or district office of the Civil Aeronautics Administration.

² This notice may be submitted on Form ACA-117, or by letter, telephone, or telegraph to the Civil Aeronautics Administration, Washington 25, D. C., or to the nearest regional or district office of the Civil Aeronautics Administration.

Parke, Porter, Pulaski, St. Joseph, Starke, Steuben, Tippecanoe, Vermillion, Vigo, Wabash, Warren, Wells, White, and Whitley; Michigan, Minnesota, North Dakota, Ohio, Counties of: Allen, Auglaize, Defiance, Fulton, Hancock, Hardin, Henry, Lucas (Toledo), Mercer, Ottawa, Paulding, Putnam, Sandusky, Seneca, Van Wert, Williams, Wood and Wyandot; South Dakota, Wisconsin.

Region 6. Atlanta, Ga. (Address—699 Ponce de Leon Ave., N. E., Atlanta, Ga.) Territory: Alabama, Florida, Georgia, North Carolina, South Carolina, Tennessee.

Region 7. Grand Prairie, Tex. (Address—Plant "B" Grand Prairie, P. O. Box 6030, Dallas 2, Tex.) Territory: Arkansas, Louisiana, Mississippi, Oklahoma, Texas.

Region 8. Kansas City, Mo. (Address—Troost & Bannister Rd., (95th St.), P. O. Box 1037, Kansas City, Mo.) Territory: Illinois, Counties of: Adams, Alexander, Bond, Brown, Calhoun, Clay, Clinton, Crawford, Edwards, Effingham, Fayette, Franklin, Gallatin, Greene, Hamilton, Hardin, Jackson, Jasper, Jefferson, Jersey, Johnson, Lawrence, Macoupin, Madison, Marion, Massac, Monroe, Montgomery, Morgan, Perry, Pike, Pope, Pulaski, Randolph, Richland, St. Clair, Saline, Scott, Union, Wabash, Washington, Wayne, White, and Williamson; Iowa, Kansas, Missouri, Nebraska.

Region 9. Denver, Colo. (Address—Commonwealth Bldg., 728 Fifteenth St., Denver, Colo.) Territory: Colorado, New Mexico, Wyoming, Utah.

Region 10. San Francisco, Calif. (Address—1182 Market St., San Francisco 2, Calif.) Territory: Arizona, California, Nevada.

Region 11. Seattle, Wash. (Address—1409 Second Avenue, Seattle 1, Wash.) Territory: Idaho, Montana, Oregon, Washington.

WAR ASSETS ADMINISTRATION

Aircraft, aircraft parts, and electronic equipment. War Assets Administration, Office of Aircraft and Electronics Disposal, Washington 25, D. C.

Agricultural commodities and foods. Declarations of surplus agricultural commodities and foods processed from agricultural commodities shall be filed with the War Assets Administration, Washington 25, D. C.

(Residual items and contract termination declarations). To Regional offices as set forth above in paragraph (a).

MARITIME COMMISSION

Landing craft of all types, including LST's. United States Maritime Commission, Washington 25, D. C.

NAVY DEPARTMENT

Navy Department, Office of the Assistant Secretary, Washington 25, D. C.

(b) *Real property.* Declarations of surplus real property located in the continental United States, its territories and possessions, shall be filed with the War Assets Administrator, Washington 25, D. C. Declarations of surplus personal property which is to be declared surplus in conjunction with real property shall be prepared and filed as provided in § 8301.12 of this part.

(c) Declarations of surplus personal property, including aircraft, aircraft components and electronics, located in the territories and possessions of the United States shall be filed at the following regional offices:

WAR ASSETS ADMINISTRATION

Region 35. Hawaii. (Address—War Assets Administration, P. O. Box 3228, Fort Ruger, Honolulu, T. H.)

Region 36. Puerto Rico and the Virgin Islands. (Address—War Assets Administration, Bldg. F, PRRA Grounds, San Juan, Puerto Rico.)

Region 37. Alaska. (Address—War Assets Administration, Army Recreational Bldg., 322 East Second Ave., Anchorage, Alaska.)

(Surplus Property Act of 1944, as amended (58 Stat. 765, as amended; 50 U. S. C. App. Sup. 1611) Pub. Law 181, 79th Cong. (59 Stat. 533; 50 U. S. C. App. Sup. 1614a, 1614b) and Reorg. Plan 1 of 1947 (12 F. R. 4534))

This revision of this section shall be effective June 26, 1948.

JESS LARSON,
Administrator

JUNE 22, 1948.

[F. R. Doc. 48-5807; Filed, June 25, 1948; 10:11 a. m.]

TITLE 33—NAVIGATION AND NAVIGABLE WATERS

Chapter II—Corps of Engineers, Department of the Army

PART 202—ANCHORAGE REGULATIONS

MISCELLANEOUS AMENDMENTS

Pursuant to the provisions of section 1 of the act of Congress approved April 22, 1940 (54 Stat. 150; 33 U. S. C. 180) § 202.1 (b) is hereby amended by changing the center heading and the side headings of the first three anchorage areas of the paragraph designating special anchorage areas, at Connecticut River at Essex, Connecticut, and by the addition thereto of two subparagraphs designating areas in Connecticut River at Maromas, Connecticut, as special anchorage areas wherein vessels not more than sixty-five feet in length, when at anchor, shall not be required to carry or exhibit anchor lights, as follows:

§ 202.1 Special anchorage areas.

(b) The areas hereinafter described are designated as special anchorage areas. (All bearings are referred to true meridian.)

CONNECTICUT RIVER, CONN.

Area No. 1, at Essex. * * *

Area No. 2, at Essex. * * *

Area No. 3, at Essex. * * *

Area No. 1, at Maromas. Beginning at a point bearing 16° 1400 yards, from Sears Shoal Front Light; thence 12° 435 yards; thence 102° 170 yards; thence 197° 435 yards; thence 282° 135 yards, to the point of beginning.

Area No. 2, at Maromas. Beginning at a point bearing 12° 35 yards, from the northwest corner of Area No. 1; thence 12° 430 yards; thence 102° 110 yards; thence 175° 275 yards; thence 197° 170 yards; thence 282° 175 yards, to the point of beginning.

[Regs. June 9, 1948, 800.212 (Connecticut River-Conn.)—ENGWR] (64 Stat. 150; 33 U. S. C. 180)

2. Pursuant to the provisions of section 7 of the River and Harbor Act of March 4, 1915 (38 Stat. 1053; 33 U. S. C. 471) § 202.90 (a) (26) is hereby amended by redefining Anchorage (general) No. 26 on the west side of Suisun Bay, California, § 202.90 (a) (26-1) is added establishing a restricted area in Anchorage (general) No. 26 for vessels of the United

States Maritime Commission, and § 202.90 (b) (6) (viii) is added governing the use of such restricted area, as follows:

§ 202.90 *San Francisco Bay, San Pablo Bay, Carquinez Strait, Suisun Bay, New York Slough, and San Joaquin River, Calif.*—(a) *The anchorage grounds.* All bearings are referred to true meridian. * * *

SUISUN BAY

(26) *Anchorage (general) No. 26.* An area on the west side of Suisun Bay adjacent to and east and northeast of the City of Benicia bounded as follows: Beginning at the intersection of the northwest shore and the northeast edge of the Southern Pacific Company railroad bridge; thence southeasterly along the northeast edge of the bridge to the first siren; thence 77° 30' 550 yards; thence 35° 6,650 yards; thence 44° 2,100 yards; thence 314° to the shore; thence southwesterly along the shore to the point of beginning; excluding from this anchorage the restricted area described in paragraph (a) (26-1) of this section.

(26-1) *Restricted area in Anchorage (general) No. 26.* The area in Anchorage (general) No. 26 between the rows, and extending 150 feet on all sides, of vessels of the United States Maritime Commission moored therein is designated as a restricted area. Vessels other than those owned or operated by the United States or the State of California are excluded from this restricted area except as otherwise provided in paragraph (b) (6) (viii) of this section.

(b) *The rules and regulations.* * * *

(6) The anchorage grounds described in paragraph (a) of this section shall be used only for the purposes stated for each and under the following special limitations:

(viii) *Restricted area in Anchorage (general) No. 26.* Except in cases of emergency, and as otherwise provided in this subparagraph, all vessels other than those owned or operated by the United States or the State of California are excluded from the restricted area in Anchorage (general) No. 26 described in paragraph (a) (26-1) of this section. The inboard area, which is the area between the shore line and the shoreward end of each row of vessels, shall be accessible to sportsmen during the open season for waterfowl, and also to any small craft in the event of emergency or bad weather. Private craft using the inboard area shall do so at their own risk, and shall avoid obstructing the movement of vessels and other small craft necessary in the operations of the United States Maritime Commission in the maintenance of its fleet in this anchorage. Small private craft shall be permitted to enter the inboard area for the purpose of landing, docking, or discharging passengers on shore; however, they shall not be permitted to use any of the Maritime Commission's shore facilities for this purpose. The regulations in this subparagraph shall be enforced by the Fleet Superintendent, California Reserve Fleet, United States Maritime Commission, Benicia, California.

ma, and such agencies as he may designate.

[Regs. June 5, 1948, 800.2121 (Suisun Bay, Calif.)—ENGWR] (38 Stat. 1053; 33 U. S. C. 471)

[SEAL] EDWARD F. WITSELL,
Major General
The Adjutant General.

[F. R. Doc. 48-5752; Filed, June 25, 1948; 8:50 a. m.]

PART 203—BRIDGE REGULATIONS

PART 206—FISHING AND HUNTING
REGULATIONS

MISCELLANEOUS AMENDMENTS

1. Pursuant to the provisions of section 5 of the River and Harbor Act of August 13, 1894 (28 Stat. 362; 33 U. S. C. 499) § 203.241 (f) is hereby amended by the addition thereto of subparagraphs relating to the Atlantic Coast Line Railroad Company bridge across Caloosahatchee Canal at Moore Haven, Florida, and the Louisiana Department of Highways bridge across Stumpy Bayou near Weeks Island, Louisiana, as follows:

§ 203.241 *Navigable waters discharging into the Atlantic Ocean south of and including Chesapeake Bay and into the Gulf of Mexico, except the Mississippi River and its tributaries and outlets; bridges where constant attendance of draw tenders is not required.* * * *

(f) The bridges to which this section applies, and the advance notice required in each case, are as follows:

* * *
Caloosahatchee Canal, Fla., Atlantic Coast Line Railroad Company bridge at Moore Haven, Fla. (From 10:00 p. m. to 6:00 a. m. the draw need not be opened for the passage of vessels. At all other times the regulations in § 203.240 shall govern the operation of this bridge.)
* * *

* * *
Stumpy Bayou, La., Louisiana Department of Highways bridge near Weeks Island, La. (At least six days' advance notice required.)
* * *

[Regs. June 9, 1948, CE 823.01—ENGWR] (28 Stat. 362; 33 U. S. C. 499)

2. Pursuant to the provisions of section 7 of the River and Harbor Act of August 8, 1917 (40 Stat. 266; 33 U. S. C. 1) § 206.85 governing the use of floating or drifting fish nets in San Francisco Bay and its navigable tributaries and connecting waterways, California, is hereby amended so as to enlarge the areas in Carquinez Strait within which such nets may be used and to further regulate the use of nets in established anchorage grounds, as follows:

§ 206.85 *San Francisco Bay, San Pablo Bay, Carquinez Strait, Suisun Bay, New York Slough, San Joaquin River Sacramento River and their navigable tributaries and connecting waterways, Calif., floating or drifting fish nets.* (a) Fishing with nets is prohibited:

- (1) In the fairways of ferryboats plying between the following points:
 - (i) Sausalito, Belvedere, and Tiburon.
 - (ii) Richmond and Point San Quentin.
 - (iii) Benicia and Martinez.
 - (iv) Mallard Slough and Chipps Island.

(2) Within 1,000 feet of bridges, wharves, docks, and steamboat landings.

(3) Within 1,000 feet of vessels moored or anchored in established anchorage grounds (described in § 202.90 of this chapter)

(4) Within 1,000 feet of the junctions of interconnecting sloughs, cuts and canals.

(5) In San Francisco Bay north of a line from the white tank at the Great Western Power Company north of Hunter Point to the western extremity of Alameda Mole.

(6) In the southern part of the San Pablo Bay in an area bounded as follows: Beginning at Point San Pedro; thence northeasterly to and through the buoys marking the north side of the dredged channel across Pinole Shoal; thence to the western extremity of Dike No. 12 and along this dike to Mare Island; thence along the southerly shore of Mare Island and Dike No. 14 to the southern extremity of this dike; thence to the western extremity of Dike No. 9; thence to the northeast corner of the wharf at Saly; thence southwesterly along the 18-foot contour to Point San Pablo; thence to the point of beginning.

(7) In the western part of San Pablo Bay in the channel between Point San Pedro and Beacon No. 2 marking the dredged channel to the mouth of Petaluma Creek, and in the channel to the mouth of Petaluma Creek.

(8) In Mare Island Strait and Napa River downstream from the Sears Point Toll Bridge.

(9) In Carquinez Strait west of the highway bridge at Valona.

(10) In Carquinez Strait southerly of a line extending from the intersection of the east side of the highway bridge at Valona and the north shore to a point bearing 347° true, 710 yards, from Port Costa Light; thence to a point bearing 176°30' true, 700 yards, from Benicia Light; thence to the northerly pier of the lift span of the railroad bridge between Suisun Point and Army Point; excluding from this prohibited area, however, Anchorage No. 25 (described in § 202.90 (a) (25) of this chapter)

(11) In the southern part of Suisun Bay between the northerly and southerly lines of the channel extending from the railroad bridge between Suisun Point and Army Point to the mouth of New York Slough as marked by buoys.

(12) Within the outer limits of the 30-foot channel through New York Slough and the San Joaquin River to Stockton.

(13) In the Sacramento River as follows:

(i) The right half of the river from one-half mile below to one-eighth mile above Tolands Landing, and the left half of the river from Tolands Landing to Emmaton.

(ii) From one mile below the Rio Vista Bridge to one-half mile above the Grand Island Light.

(iii) From one-half mile below to one-half mile above the bridge at Walnut Grove.

(n) When fishing in an established anchorage ground, all nets shall be promptly picked up and removed upon

the approach of any vessel desiring to moor or anchor therein.

[Regs. June 8, 1948, CE 800.217 (Carquinez Strait, Calif.)—ENGWR] (40 Stat. 266; 33 U. S. C. 1)

[SEAL] EDWARD F. WITSELL,
Major General
The Adjutant General.

[F. R. Doc. 48-5751; Filed, June 25, 1948; 8:50 a. m.]

TITLE 36—PARKS AND FORESTS

Chapter II—Forest Service,
Department of Agriculture

PART 201—NATIONAL FORESTS

CHUGACH NATIONAL FOREST

CROSS REFERENCE: For order affecting the tabulation contained in § 201.1, see Public Land Order 489 under Title 43, *infra*, revolving the withdrawal of certain lands in the Chugach National Forest for use of the War Department for military purposes.

TITLE 43—PUBLIC LANDS:
INTERIOR

Chapter I—Bureau of Land Management,
Department of the Interior

Appendix—Public Land Orders
[Public Land Order 463]

ALASKA

REVOKING PUBLIC LAND ORDER 161 OF AUGUST 23, 1943, WITHDRAWING PUBLIC LANDS FOR USE OF WAR DEPARTMENT AS GARRISON AND CEMETERY SITES

By virtue of the authority vested in the President and pursuant to Executive Order No. 9337 of April 24, 1943, it is ordered as follows:

Public Land Order No. 161 of August 23, 1943, withdrawing the public lands within the hereinafter-described areas for the use of the War Department as garrison and cemetery sites, is hereby revoked.

The jurisdiction over and use of such lands granted to the War Department by Public Land Order No. 161 shall cease upon the date of the signing of this order. Thereupon, the jurisdiction over and use of such lands shall be vested in the Department of the Interior and any other Department or agency of the Federal Government according to their respective interests then of record.

This order shall not otherwise become effective to change the status of such lands until 10:00 a. m. on August 19, 1948, at which time the lands, which are unsurveyed, shall subject to valid existing rights and the provisions of existing withdrawals, be opened to settlement under the homestead laws only, and to that form of appropriation only by qualified veterans of World War II for whose service recognition is granted by the act of September 27, 1944, 58 Stat. 747 (43 U. S. C., §§ 279-283) as amended, subject to the requirements of the homestead laws, and commencing at 10:00 a. m. on November 17, 1948, any of such lands not settled upon by veterans shall become subject to settlement and other forms of appropriation by the public

generally in accordance with the appropriate laws and regulations.

The lands affected by this order are the public lands in the following described areas:

VALDEZ

GARRISON SITE

Beginning at corner No. 1, M. C., U. S. Survey No. 439, Alaska, Valdez Town Site, approximate latitude 61°07' N., longitude 146°17' W.

From the point of beginning by metes and bounds,

N. 61°30' E., 5,280 feet to corner No. 2, U. S. Survey No. 439, Alaska;

S. 28°30' E., 1,268 feet, along the east boundary of U. S. Survey No. 439;

N. 75°00' E., 6,500 feet;

North, 4,300 feet, to the north bank of the creek flowing in a westerly direction along the base of a steep mountain;

West, 4,000 feet, to the north bank of the same creek;

Westerly, 7,000 feet, downstream, along the north, or right, bank of the same creek to its confluence with a smaller stream and waterfall flowing in a southeasterly direction off the mountain;

West, 3,500 feet;

S. 75°00' W., 2,100 feet, to the line of ordinary high tide, Valdez Harbor;

Southeasterly, 8,000 feet, along the line of ordinary high tide, Valdez Harbor, to the point of beginning.

The area described, including both public and non-public lands, aggregates 1,900 acres.

CEMETERY SITE

Beginning at a point on the northeasterly boundary of the right-of-way of the Richardson Highway, about 2¼ miles southeast of the City of Valdez, from which corner No. 1 U. S. Survey No. 1178, Alaska, bears southerly 320 feet, approximate latitude 61°05'30" N., longitude 146°12'30" W.

From the point of beginning by metes and bounds,

Northwesterly, 500 feet, along the right-of-way of the Richardson Highway;

Northeasterly, 500 feet, at right angles to the Richardson Highway;

Southeasterly, 500 feet, parallel to the Richardson Highway;

Southwesterly, 500 feet, at right angles to the Richardson Highway to the point of beginning.

The area described aggregates 5.6 acres.

The lands lie adjacent to the village of Valdez which is the southern terminus of the Richardson Highway. The village of Valdez lies on a glacial-alluvial plain. The topography is level to very gently rolling. The soil is for the most part gravelly and supports little vegetation.

C. GIRARD DAVIDSON,
Acting Secretary of the Interior

JUNE 17, 1948.

[F. R. Doc. 48-5718; Filed, June 25, 1948;
8:49 a. m.]

[Public Land Order 489]

ALASKA

RESERVING CERTAIN PUBLIC LAND AS AIR-NAVIGATION SITE WITHDRAWAL NO. 241 AND REVOKING PUBLIC LAND ORDER 96

By virtue of the authority vested in the President by section 1 of the act of June 4, 1897, 30 Stat. 34, 36 (16 U. S. C. 473) and pursuant to Executive Order

No. 9337 of April 24, 1943 and section 4 of the act of May 24, 1928, c. 728, 45 Stat. 729 (49 U. S. C. 214) it is ordered as follows:

Subject to valid existing rights, the tract of public land within the boundaries of the Chugach National Forest, Alaska, described below by metes and bounds, is hereby withdrawn from all forms of appropriation under the public-land laws and reserved for the use of the Civil Aeronautics Administration, Department of Commerce, in the maintenance of air-navigation facilities, the reservation to be known as Air-Navigation Site Withdrawal No. 241.

CORDOVA

Beginning at a point from which Milepost 12 of the abandoned Copper River and Northwestern Railroad (Station 633+61.4 of railroad survey, approximate latitude 60°29.4' N., longitude 145°30.5' W.) bears S. 65°57' N., 800 feet, N. 24°03' E., 100 feet, thence by metes and bounds,

N. 24°03' E., 9,449 feet;

S. 55°00' E., 2,207 feet;

S. 44°30' E., 7,380 feet;

S. 36°00' E., 9,260 feet;

S. 24°03' W., 3,000 feet;

N. 65°57' W., 10,960 feet to a point opposite Milepost 13;

S. 24°03' W., 3,980 feet;

N. 65°57' W., 5,280 feet;

N. 24°03' E., 3,980 feet;

N. 65°57' W., 4,000 feet;

N. 24°03' E., 1,300 feet;

S. 65°57' E., 3,200 feet to the point of beginning.

The tract as described contains approximately 3,494 acres.

The reservation made by this order shall take precedence over, but shall not modify, the proclamation of July 23, 1907, establishing the Chugach National Forest, and Public Land Order No. 334 of December 19, 1946, reserving certain lands for the use of the Department of Agriculture for highway purposes, so far as they affect the above-described lands.

Public Land Order No. 96 of March 16, 1943, withdrawing public lands for the use of the War Department for military purposes, as modified by Public Land Order No. 334 of December 19, 1946, is hereby revoked.

Those lands released by the revocation of Public Land Order No. 96 but not included in Air-Navigation Site Withdrawal No. 241 are subject to the provisions of the said proclamation establishing the Chugach National Forest, but the said revocation shall not take effect as to such lands until 10 a. m. on August 19, 1948.

C. GERARD DAVIDSON,
Acting Secretary of the Interior.

JUNE 17, 1948.

[F. R. Doc. 48-5719; Filed, June 25, 1948;
8:47 a. m.]

TITLE 49—TRANSPORTATION AND RAILROADS

Chapter I—Interstate Commerce Commission

[S. O. 95, Amdt. 9]

PART 95—CAR SERVICE

REFRIGERATOR CAR AGENT

At a session of the Interstate Commerce Commission, Division 3, held at

its office in Washington, D. C., on the 21st day of June A. D. 1948.

Upon further consideration of the provisions of Service Order No. 95 (7 F. R. 9257) as amended (8 F. R. 17428; 10 F. R. 15175, 15354; 11 F. R. 4038, 6909; 12 F. R. 47, 4000, 8837), and good cause appearing therefor: *It is ordered, That:*

Service Order No. 95, as amended, be, and it is hereby, further amended by substituting the following paragraph (d) of § 95.302, *Refrigerator car agent*, for paragraph (d) thereof:

(d) This section, as amended, shall expire at 11:59 p. m., December 31, 1948, unless otherwise modified, changed, suspended, or annulled by order of this Commission.

It is further ordered, That this amendment shall become effective at 12:01 a. m., June 30, 1948; that a copy of this order and direction be served upon the Association of American Railroads, Car Service Division, as agent of the Railroads subscribing to the car service and per diem agreement under the terms of that agreement; and that notice of this order be given to the general public by depositing a copy in the office of the Secretary of the Commission at Washington, D. C., and by filing it with the Director, Division of the Federal Register.

(40 Stat. 101, sec. 402; 41 Stat. 476, sec. 4; 54 Stat. 901, 49 U. S. C. 1 (10)-(17))

By the Commission, Division 3.

[SEAL]

W P BARTEL,
Secretary.

[F. R. Doc. 48-5738; Filed, June 25, 1948;
8:51 a. m.]

[Rev. S. O. 620-A]

PART 95—CAR SERVICE

LIGHT-WEIGHING OF CARS AT ALL PORTS PROHIBITED

At a session of the Interstate Commerce Commission, Division 3, held at its office in Washington, D. C., on the 22d day of June A. D. 1948.

Upon further consideration of Revised Service Order No. 620 (12 F. R. 559), as amended (12 F. R. 840, 1952, 3175, 8171, 13 F. R. 1148) and good cause appearing therefor: *It is ordered, That:*

Section 95.620, *Light-weighting of cars at all ports prohibited*, of Revised Service Order No. 620, be, and it is hereby vacated and set aside.

It is further ordered, That this order shall become effective at 12:01 a. m., June 24, 1948; that a copy of this order and direction be served upon the Association of American Railroads, Car Service Division, as agent of the railroads subscribing to the car service and per diem agreement under the terms of that agreement; and that notice of this order be given to the general public by depositing a copy in the office of the Secretary of the Commission at Washington, D. C., and by filing it with the Director, Division of the Federal Register.

(40 Stat. 101, sec. 402, 418; 41 Stat. 476, 485, sec. 4, 10; 54 Stat. 901, 912; 49 U. S. C. 1 (10)-(17) 15 (4))

By the Commission, Division 3.

[SEAL] W. P. BARTEL,
Secretary.

[F. R. Doc. 48-5739; Filed, June 25, 1948;
8:51 a. m.]

TITLE 46—SHIPPING

Chapter I—Coast Guard: Inspection and Navigation

[CGFR 48-23]

MISCELLANEOUS AMENDMENTS

A notice regarding proposed changes in the inspection and navigation regulations was published in the FEDERAL REGISTER dated March 6, 1948 (13 F. R. 1237) and public hearings were held by the Merchant Marine Council on March 30 and 31, 1948, at Washington, D. C.

The purpose of the miscellaneous amendments to the regulations is to clarify their intent, effect editorial changes, establish additional safety requirements on the basis of experience obtained, and to permit certain practices to be employed by the industry in the construction, repair, and operation of merchant vessels, as well as to bring certain marine engineering requirements into closer agreement with the rules of the American Bureau of Shipping, heating boiler code of the American Society of Mechanical Engineers, and the rules for fusion welding piping of the American Welding Society. All the written and oral comments, data, and suggestions submitted were considered by the Merchant Marine Council and where practicable were incorporated into the miscellaneous amendments to the regulations.

The Department of the Army, as well as various shipyards and contractors indicated that it is very difficult to obtain wire inserted glass with deliveries being up to 18 months from the time the orders are given. Accordingly, in order not to hinder the construction and delivery of passenger vessels, the use of plain glass as an alternate for the wire inserted glass will be permitted until July 1, 1949. This amendment to the regulations, 46 CFR 144.29, is published without prior general notice of its proposed issuance for the reason that notice and public rule making procedure in connection therewith are hereby found to be impracticable, and contrary to the public interest.

By virtue of the authority vested in me by R. S. 4405, as amended, 46 U. S. C. 375 and sec. 101 of Reorganization Plan No. 3 of 1946, 11 F. R. 7875, as well as the statutes cited with the regulations below, the following amendments to the regulations are prescribed, which shall become effective 90 days after date of publication of this document in the FEDERAL REGISTER:

Subchapter C—Motorboats, and Certain Vessels
Propelled by Machinery Other Than by Steam
More Than 65 Feet in Length

PART 28—SPECIFICATIONS AND PROCEDURE FOR APPROVAL OF EQUIPMENT

LIFESAVING EQUIPMENT

1. Section 28.4-1 *General provisions—approval* is deleted.

2. Section 28.4-2 *General characteristics of ring buoys* is deleted.

3. Section 28.4-3 *Buoyant materials* is deleted.

4. Section 28.4-7 *Specifications for 20- and 24-inch cork or balsa wood ring life buoys*, with figures 3 and 4, are deleted.

5. Section 28.4-8 *Specifications for kapok buoyant cushion*, with figure 5, are deleted.

6. Section 28.4-9 is amended to read as follows:

§ 28.4-9 *Factory inspection; life preservers.* The Coast Guard District Commander shall detail an inspector to any place where approved life preservers are manufactured, whose duty it shall be to test and examine such equipment manufactured at that place and satisfy himself that it is in accordance with the requirements of the regulations in this chapter. When found to be in accordance with the requirements, the inspector shall stamp them with a stamp bearing the initials of his name, the date of examination, and a certification that they have been examined and passed. (54 Stat. 163-167, 46 U. S. C. 526-526b)

Subchapter D—Tank Vessels

PART 30—GENERAL PROVISIONS

Section 30.3 is amended by adding the following paragraph (hh)

§ 30.3 *Definition of terms.* * * *

(hh) *Tankerman.* A "tankerman" is any person holding a certificate issued by the Coast Guard attesting to his competency in the handling of inflammable or combustible liquid cargo in bulk, or is any person holding a valid license as master, mate, pilot, or engineer. (R. S. 4417a, and sec. 5 (e) 55 Stat. 244, as amended; 46 U. S. C. 367, 50 U. S. C. 1275)

PART 31—INSPECTION AND CERTIFICATION

INSPECTION OF TANK VESSELS

1. Section 31.3-2 is amended to read as follows:

§ 31.3-2 *Recognized classification society—TB/ALL.* (a) In the inspection of hulls, boilers, and machinery the rules promulgated by the American Bureau of Shipping and designated "Rules for Building and Classing Steel Vessels" respecting material and construction of hulls, boilers, and machinery, except as otherwise provided for by law and regulations in this chapter, shall be accepted as standard by the Coast Guard after being adopted by the Commandant and a copy filed with the Division of the Federal Register, The National Archives, Washington, D. C.

(b) When such rules of the American Bureau of Shipping are adopted as standard by the Commandant, notice of such action will be published in the FEDERAL REGISTER. Such rules will apply to new construction contracted for on or after the effective date of publication, which will be 90 days after the date of the FEDERAL REGISTER in which the notice appears.

NOTE: The latest current rules of the American Bureau of Shipping as described in paragraph (a) of this section, which are hereby adopted as standard by the Com-

mandant, are those dated 1943 and will apply to new construction contracted for on or after the effective date of this regulation as amended. As the "Rules for Building and Classing Steel Vessels" are usually published annually, information regarding the latest current rules of the American Bureau of Shipping which have been adopted by the Commandant subsequent to the effective date of § 31.3-2 may be obtained through the following sources: District Commander of any Coast Guard District; Commandant (MLT), U. S. Coast Guard, Washington 25, D. C.; or Director, Division of the Federal Register, The National Archives, Washington 25, D. C.

(c) The approved plans and certificate of the American Bureau of Shipping, or other recognized classification society for classed vessels, may be accepted by the Coast Guard as evidence of the structural efficiency of the hull and reliability of machinery of vessels subject to the regulations in this subchapter, except as otherwise provided for by laws and regulations in this chapter. (R. S. 4417a, and sec. 5 (e) 55 Stat. 244, as amended; 46 U. S. C. 391a, 50 U. S. C. 1275)

MANNING OF TANK VESSELS

2. Section 31.4-1 is amended to read as follows:

§ 31.4-1 *Licensed officers and crews—TB/ALL.* (a) The Officer in Charge, Marine Inspection, who inspects the vessel, shall make in the certificate of inspection for each tank vessel an entry of such complement of officers and/or crew as required by law and regulations in this subchapter, and which in the judgment of the Officer in Charge, Marine Inspection, will be necessary for her safe operation. The complement may be changed from time to time by indorsement on such certificate by an Officer in Charge, Marine Inspection, by reason of change of conditions or employment.

(b) In all cases where a certificate of inspection does not require at least two licensed officers, the Officer in Charge, Marine Inspection, shall enter in the certificate of inspection issued to any manned tank vessel subject to the regulations in this subchapter the number of the crew required to be certificated as tankermen. If the total complement of a tank vessel is either one or two persons, only one such person need be a certificated tankerman. If the total complement exceeds two, only two such persons need be certificated tankermen. (R. S. 4417a, sec. 5 (e) 55 Stat. 244, as amended; 46 U. S. C. 391a, 50 U. S. C. 1275)

PART 32—REQUIREMENTS FOR HULLS, MACHINERY AND EQUIPMENT

HULLS AND HULL FITTINGS; GENERAL

1. Section 32.1-6 (b) is amended to read as follows:

§ 32.1-6 *Crew accommodations; tankers of 100 gross tons or over constructed after Jan. 1, 1938—T/ALL.* * * *

(b) *Toilet and washing facilities.* (1) Each such tank ship shall be provided with at least one washbasin, one bathtub or shower, and one toilet for each eight members, or portion thereof, in the crew to be accommodated. The crew to be accommodated shall include all members

who do not occupy rooms to which private facilities are attached.

(2) When the engine room crew, exclusive of licensed officers and others separately provided for, exceeds eight, separate washing facilities shall be provided.

(3) Vessels contracted for after January 1, 1949, shall have the toilet rooms separate from the washrooms, and at least one washbasin shall be fitted in each toilet room. (R. S. 4417a and sec. 5 (e) 55 Stat. 244, as amended; 46 U. S. C. 391a, 50 U. S. C. 1275)

HULL REQUIREMENTS; NEW TANK VESSELS

2. Section 32.2-4 is amended by adding the following new sentence at the end thereof:

§ 32.2-4 *Pump rooms—TB/ALL.* * * * The access to a cargo pump room handling such liquids shall be from the open deck. (R. S. 4417a, and sec. 5 (e) 55 Stat. 244, as amended; 46 U. S. C. 391a, 50 U. S. C. 1275)

BOILERS AND MACHINERY

3. Section 32.5-2 is amended to read as follows:

§ 32.5-2 *Tests and inspection of boilers and equipment—TB/ALL.* Boilers, unfired pressure vessels, piping systems, and appurtenances shall be fabricated, tested, and inspected as required by Parts 50 to 57, inclusive, of this chapter (Subchapter F—Marine Engineering) (R. S. 4417a, and sec. 5 (e) 55 Stat. 244, as amended; 46 U. S. C. 391a, 50 U. S. C. 1275)

4. Section 32.5-5 is amended to read as follows:

§ 32.5-5 *Installation of fuel-oil systems—TB/ALL.* The installation of fuel-oil systems shall comply with the requirements in Part 55 of this chapter (Subchapter F—Marine Engineering) (R. S. 4417a, and sec. 5 (e) 55 Stat. 244, as amended; 46 U. S. C. 391a, 50 U. S. C. 1275)

VENTILATION AND VENTING

5. Section 32.7-4 (b) is amended to read as follows:

§ 32.7-4 *Venting of cargo tanks; new vessels—TB/ALL.* * * *

(b) (1) Cargo tanks in which Grade A liquids are to be transported shall be fitted with a venting system consisting of branch vent line from each cargo tank connected to a vent header which shall extend to a reasonable height above the weather deck and be fitted with a flame arrester or pressure-vacuum relief valve. Each branch vent line may be provided with a manually operated control valve, provided it is bypassed with a pressure-vacuum relief valve or each cargo tank to which such a branch vent line is connected is fitted with an independent pressure-vacuum relief valve. The vent header system shall be provided with suitable connections for flushing and draining.

(2) In barges with independent tanks carrying Grade A liquids, separate discharge pipes may be fitted to each pressure-vacuum relief valve, or the pressure-vacuum relief valve may be elevated, so that in either case the discharge from such valve will not be less than 7

feet above the deck where practicable. (R. S. 4417a, and sec. 5 (e) 55 Stat. 244, as amended; 46 U. S. C. 391a, 50 U. S. C. 1275)

CARGO PUMPS AND CARGO PIPING

6. Section 32.8-2 (a) is amended to read as follows:

§ 32.8-2 *Cargo pump fittings and controls; new vessels—TB/ALL.* (a) Where a cargo pump is capable of developing a pressure exceeding 125 pounds at the pump under shut-off head conditions (based on water) a suitable relief valve shall be installed between the pump and shut-off valve in the cargo pump discharge and piped back into the suction. The relief valve setting shall not exceed the pressure for which the piping system is designed. (R. S. 4417a and sec. 5 (e) 55 Stat. 244, as amended; 46 U. S. C. 391a, 50 U. S. C. 1275)

7. Section 32.8-4 (a) is amended to read as follows:

§ 32.8-4 *Cargo piping; new vessels—TB/ALL.* (a) (1) The piping shall be arranged so as to avoid excessive stresses at the joints. For sizes exceeding 2 inches in diameter, flanged, welded, or other approved types of joints shall be employed. Packing material shall be suitable for the cargo carried. Connections at bulkheads shall be made so that the plating does not form part of a flanged joint. Piping may be carried through bunker spaces and deep tanks provided it is run through a pipe tunnel. The tunnel may be omitted where the pipe is extra heavy, all joints are welded, and bends are installed to provide for expansion and contraction.

(2) Cargo piping shall not pass through spaces containing machinery where sources of vapor ignition are normally present: *Provided*, That, in conversions effected during the National Emergency proclaimed by the President May 27, 1941, cargo piping for Grade E liquids passing through shaft alleys and machinery spaces may be permitted. (R. S. 4417a and sec. 5 (e) 55 Stat. 244, as amended; 46 U. S. C. 391a; 50 U. S. C. 1275)

EQUIPMENT AND MISCELLANEOUS

8. Section 32.9-10 is amended to read as follows:

§ 32.9-10 *Cargo hose—TB/ALL.* Cargo hose, when carried on tank vessels, shall be of a grade suitable for oil service and shall be designed to withstand the pressure of the shut-off head of the cargo pump or pump relief valve setting, less static head, but in no case less than 100 pounds per square inch. (R. S. 4417a, and sec. 5 (e) 55 Stat. 244, as amended; 46 U. S. C. 391a, 50 U. S. C. 1275)

PART 33—LIFESAVING APPLIANCES

REQUIREMENTS FOR LIFEBOATS, LIFE RAFTS, AND BUOYANT APPARATUS

1. Section 33.2-1 is amended to read as follows:

§ 33.2-1 *Tank ships; ocean—T/O.* (a) All tank ships which normally operate more than 20 miles off shore shall carry a sufficient number of lifeboats on each side to accommodate all persons on

board: *Provided*, That such tank ships of 350 feet in length or over, having superstructure amidships and propelling machinery aft shall be provided with at least four lifeboats, one on each side in way of the after accommodations, and one on each side in way of amidships accommodations.

(b) No boat shall be of less than 180 cubic feet measurement. (R. S. 4417a and sec. 5 (e) 55 Stat. 244, as amended; 46 U. S. C. 391a, 50 U. S. C. 1275)

EQUIPMENT; LIFEBOATS, LIFE RAFTS, AND BUOYANT APPARATUS

2. Section 33.3-1 (y) is amended to read as follows:

§ 33.3-1 *Tank ship lifeboat equipment; ocean and coastwise—T/OC.* * * *

(y) *Parachute flare distress signals.*

(1) Twelve approved parachute red flare distress signals and an approved means of projecting them, all contained in a portable watertight case. Service use of the signals shall be limited to a period of three years from date of manufacture. (For specifications for the above equipment, see subparts 160.024 and 160.036 in Subchapter Q of this chapter.)

(2) The stowage of this equipment is discretionary with the master.

(3) On ocean tank ships parachute red flare distress signal outfits need not be provided for more than two lifeboats.

(4) On coastwise tank ships parachute red flare distress signal outfits need not be provided for more than one lifeboat. (R. S. 4417a and sec. 5 (e) 55 Stat. 244, as amended; 46 U. S. C. 391a, 50 U. S. C. 1275)

3. Section 33.3-2 is amended by deleting paragraph (1) and by amending paragraph (e) to read as follows:

§ 33.3-2 *Tank ship lifeboat equipment; Great Lakes—T/L.* * * *

(e) *Distress signals.* (1) Twelve approved hand red flare distress signals in a watertight container, or twelve approved hand combination flare and smoke distress signals in a watertight container. Service use shall be limited to a period of three years from date of manufacture. Distress signals not bearing date of manufacture shall not be carried after January 1, 1949. (For specifications for the above signals, see subparts 160.021, 160.22, and 160.023 in Subchapter Q of this chapter.)

(2) Either an approved flashlight or twelve approved parachute red flare distress signals, and an approved means of projecting them; all contained in a portable watertight case, may be substituted for six of the above distress signals, but at least six of the above hand red flare distress signals shall be carried. Service use of the signals shall be limited to a period of three years from date of manufacture. (For specifications for the parachute red flare distress signal equipment, see subparts 160.024 and 160.036 in Subchapter Q of this chapter.)

LIFE BUOYS

4. Section 33.7-1 is amended to read as follows:

§ 33.7-1 *Number required; tank ships—T/ALL.* The minimum number of approved 30-inch life buoys and the minimum number to which approved

automatic water lights shall be attached shall be in accordance with the following table:

| Length of tank vessel | Minimum number of approved 30-inch life buoys | Minimum number of approved 30-inch life buoys with approved automatic water lights attached |
|-----------------------------|---|---|
| Under 100 feet | 2 | 0 |
| 100 feet and under 200 feet | 4 | 2 |
| 200 feet and under 300 feet | 6 | 2 |
| 300 feet and under 400 feet | 12 | 4 |
| 400 feet and under 600 feet | 16 | 9 |
| 600 feet and under 800 feet | 24 | 12 |
| 800 feet and over | 30 | 16 |

(R. S. 4417a and sec. 5 (e) 55 Stat. 244, as amended; 46 U. S. C. 391a, 50 U. S. C. 1275)

PART 34—FIRE-FIGHTING EQUIPMENT

FIRE EQUIPMENT FOR CARGO SPACE

1. Section 34.3-5 (b) is amended to read as follows:

§ 34.3-5 *Steam fire-extinguishing system for cargo spaces—T/ALL.* * * *

(b) Where steam fire-extinguishing systems are fitted on tank ships, the master valve control mechanism shall be located in an easily accessible place above the freeboard deck, as defined in § 43.1 (g) of this chapter (Subchapter E—Load Lines). (R. S. 4417a, and sec. 5 (e) 55 Stat. 244, as amended; 46 U. S. C. 391a, 50 U. S. C. 1275)

2. Section 34.3-13 is amended to read as follows:

§ 34.3-13 *Fire-extinguishing systems for dry cargo spaces, lamp and paint rooms, etc.—T/ALL.* (a) Steam, inert gas, foam, or vapor systems shall be provided for extinguishing fires in dry cargo spaces, lamp and paint rooms, or similar compartments, and should, where practicable, be run independent of the extinguishing systems for the main bulk cargo tanks. In cases where vessel arrangements make this requirement impracticable, valves shall be installed between the main bulk tank extinguishing system and the other compartments served. These valves are to be marked: "This valve to be kept closed except in case of fire."

(b) Lamp, oil, and paint rooms in all classes of vessels shall be wholly and tightly lined with metal. (R. S. 4417a, and sec. 5 (e) 55 Stat. 244, as amended; 46 U. S. C. 391a, 50 U. S. C. 1275)

3. Part 34 is amended by adding a new § 34.3-14, reading as follows:

§ 34.3-14 *Fire-extinguishing system, pump rooms—T/ALL.* Where a steam smothering system is installed in pump rooms, the outlet shall terminate in the lower pump room, just above the floor plates. Control valves for smothering system shall be located adjacent to the pump room exit and marked as follows: "Steam smothering valve to pump room." (R. S. 4417a, and sec. 5 (e) 55 Stat. 244, as amended; 46 U. S. C. 391a, 50 U. S. C. 1275)

HAND FIRE EXTINGUISHERS

4. Section 34.5-6 is amended to read as follows:

§ 34.5-6 *Hand fire extinguishers; number required on tank ships—T/ALL.* (a) Tank ships shall be provided with chemical fire extinguishers as follows:

| Size of vessel, gross tons: | Minimum number of fire extinguishers |
|-----------------------------|--------------------------------------|
| Not over 100 | 2 |
| Over 100 and not over 500 | 3 |
| Over 500 and not over 1,000 | 6 |
| Over 1,000 | 8 |

(b) The above table is based on the ordinary 2½-gallon foam type fire extinguisher; other types of fire extinguishers may be substituted according to the following schedule:

One 2½-gallon foam type fire extinguisher is equivalent to one 15-pound carbon dioxide (CO₂) type, or two 1-quart carbon tetrachloride type, or one 12-pound dry chemical type.

(c) No fire extinguisher of a capacity greater than 2½ gallons (or equivalent sizes of other types) shall be allowed a greater rating than the ordinary 2½-gallon size, but fire extinguishers of less capacity are allowable on tank ships under the above table when their total contents equals the required quantity. (R. S. 4417a, and sec. 5 (e) 55 Stat. 244, as amended; 46 U. S. C. 391a, 50 U. S. C. 1275)

PART 35—OPERATION

GENERAL SAFETY RULES

Section 35.4-5 is amended to read as follows:

§ 35.4-5 *Fresh air breathing apparatus—TB/ALL.* All manned tank vessels having cargo tanks which exceed 15 feet in depth, measured from the deck to the lowest point at which cargo is carried, shall be provided with fresh air breathing apparatus, including belt and life lines. (R. S. 4417a and sec. 5 (e) 55 Stat. 244, as amended; 46 U. S. C. 391a, 50 U. S. C. 1275)

PART 37—SPECIFICATIONS FOR LIFESAVING APPLIANCES

LIFE PRESERVERS

1. Section 37.6-3 *Buoyant materials—TB/ALL* is deleted. (R. S. 4417a, and sec. 5 (e) 55 Stat. 244, as amended; 46 U. S. C. 391a, 50 U. S. C. 1275)

LIFE BUOYS

2. Sections 37.8-1 to 37.8-10, inclusive, and the figure for "Standard Ring Life Buoy" are deleted. (R. S. 4417a, and sec. 5 (e) 55 Stat. 244, as amended; 46 U. S. C. 391a, 50 U. S. C. 1275)

LINE-THROWING GUN

3. Section 37.10-5 *Signal pistol—T/OC* and figure 1—Marine Signal Pistol are deleted. (R. S. 4417a, and sec. 5 (e) 55 Stat. 244, as amended; 46 U. S. C. 391a, 50 U. S. C. 1275)

Subchapter F—Marine Engineering

PART 52—CONSTRUCTION

SUBPART 52.01—PROCEDURE AND GENERAL REQUIREMENTS

1. Section 52.01-5 (13 F. R. 1706) is amended to read as follows:

§ 52.01-5 *Drawings.* (a) Manufacturers intending to fabricate boilers, unfired pressure vessels or appliances of riveted, welded, brazed, or seamless material to be installed on vessels subject to inspection by the Coast Guard, shall submit detail drawings in triplicate which shall be fully descriptive of the pressure containing parts of such boilers, unfired pressure vessels, or appliances to be manufactured, to the Officer in Charge, Marine Inspection, having jurisdiction over the vessel. When due to location of the shipyard or design office, such a procedure would result in unnecessary delay in transmission, the drawings may be forwarded directly to the Commandant (MMT) U. S. Coast Guard, Washington 25, D. C.

(b) The procedure specified in paragraph (a) shall apply also to proposed alterations. (R. S. 4417a, 4418, 4426, 4427, 4429-4434, 4453, and 4491, sec. 14, 29 Stat. 690, 41 Stat. 305, 49 Stat. 1544, 54 Stat. 346, and sec. 5 (e) 55 Stat. 244, as amended; 46 U. S. C. 363, 366, 367, 391a, 392, 404, 405, 407-412, 435, 1333, 50 U. S. C. 1275)

SUBPART 52.05—CYLINDRICAL SHELLS

2. Section 52.05-5 (a) (13 F. R. 1707) is amended to read as follows:

§ 52.05-5 *Materials.* (a) Plates shall be of marine boiler steel complying with subpart 51.04, except that boilers designed for pressures not exceeding 150 pounds per square inch may be constructed of steel plate meeting the specifications of subpart 51.22 and which are tested, inspected, and stamped as required by § 51.01-1 of this subchapter. (R. S. 4417a, 4418, 4426, 4427, 4429-4434, 4453, and 4491, sec. 14, 29 Stat. 690, 41 Stat. 305, 49 Stat. 1544, 54 Stat. 346, and sec. 5 (e) 55 Stat. 244, as amended; 46 U. S. C. 363, 366, 367, 391a, 392, 404, 405, 407-412, 435, 1333, 50 U. S. C. 1275)

SUBPART 52.20—HEADS

3. Section 52.20-5 (a) (13 F. R. 1710) is amended to read as follows:

§ 52.20-5 *Materials and workmanship.* (a) Steel plate used in the fabrication of heads shall be either flange or firebox quality complying with subpart 51.04 or 51.22. Flanged or dished heads if pressed or flanged cold shall be stress-relieved as required by § 56.01-70 of this subchapter after the cold-forming operations are completed. Heads that are flanged or dished hot need not be stress-relieved. (R. S. 4417a, 4418, 4426, 4427, 4429-4434, 4453, and 4491, sec. 14, 29 Stat. 690, 41 Stat. 305, 49 Stat. 1544, 54 Stat. 346, and sec. 5 (e) 55 Stat. 244, as amended; 46 U. S. C. 363, 366, 367, 391a, 392, 404, 405, 407-412, 435, 1333, 50 U. S. C. 1275)

SUBPART 52.60—SUPERHEATERS, HEATERS, WATER WALLS, AND ECONOMIZERS

4. Section 52.60-5 *Drawings and specifications* (13 F. R. 1723) is deleted.

PART 53—LOW-PRESSURE HEATING BOILERS

Part 53 (13 F. R. 1728, 1729) is amended to read as follows:

SUBPART 53.01—GENERAL

Sec.

53.01-1 Scope.

SUBPART 53.03—STEEL PLATE HEATING BOILERS

- 53.03-1 Scope.
 53.03-5 Plan approval.
 53.03-10 Materials.
 53.03-15 Computations and design.
 53.03-20 Braced and stayed surfaces.
 53.03-25 Areas to be stayed.
 53.03-30 Allowable stresses for stays and braces.
 53.03-35 Boiler tubes.
 53.03-40 Riveted boilers.
 53.03-45 Welded boilers.
 53.03-50 Boiler openings.
 53.03-55 Installation.
 53.03-60 Safety and relief valves.
 53.03-65 Discharge capacities of safety and relief valves.
 53.03-70 Fittings and appliances.
 53.03-75 Hydrostatic tests, inspection, and stamping.

SUBPART 53.05—CAST-IRON HEATING BOILERS

- 53.05-1 Scope.
 53.05-5 Manufacturer's certification.
 53.05-10 Material.
 53.05-15 Washout openings.
 53.05-20 Flanged connections.
 53.05-25 Threaded openings.
 53.05-30 Hydrostatic tests, inspection, and stamping.
 53.05-35 Installation.
 53.05-40 Safety and relief valves.
 53.05-45 Discharge capacities of safety and relief valves.
 53.05-50 Fittings and appliances.

AUTHORITY: §§ 53.01-1 to 53.05-50, inclusive, issued under R. S. 4405, 4417a, 4418, 4426, 4427, 4429, 4430, 4431, 4432, 4433, 4434, 4453, 4491, sec. 14, 29 Stat. 690, 41 Stat. 305, 49 Stat. 1544, 54 Stat. 346, and sec. 5 (e), 55 Stat. 244, as amended; 46 U. S. C. 363, 366, 367, 375, 391a, 392, 404, 405, 407, 408, 409, 410, 411, 412, 435, 1333, 50 U. S. C. 1275; and sec. 101, Reorg. Plan No. 3 of 1946; 11 F. R. 7875.

SUBPART 53.01—GENERAL

§ 53.01-1 *Scope.* (a) The regulations in this part apply to the design and construction of steel plate and cast iron steam and hot water boilers used for heating or hot water supply, the maximum allowable pressure of which shall not exceed the following:

- (1) For steel plate boilers—30 pounds per square inch.
- (2) For cast iron boilers—15 pounds per square inch.

(b) The maximum water temperature of hot water boilers shall not exceed 250° F.

(c) When operating conditions exceed those specified in paragraph (a) the boilers shall be designed and fabricated in accordance with the requirements of part 52 of this subchapter for power boilers.

SUBPART 53.03—STEEL PLATE HEATING BOILERS

§ 53.03-1 *Scope.* The regulations in this subpart contain detail requirements for the design and construction of steel plate heating boilers.

§ 53.03-5 *Plan approval.* (a) Manufacturers of steel plate heating boilers of riveted or welded construction to be in-

stalled on vessels subject to inspection by the Coast Guard shall submit to the Commandant drawings in triplicate fully descriptive of the boilers to be fabricated.

(b) In event of approval of the boiler by the Commandant, it will be assigned a type approval number, which shall be stamped or otherwise permanently attached to each boiler in accordance with the provisions of § 53.03-75.

(c) The manufacturer shall also, upon request, furnish such additional drawings and specifications as may be necessary for the use of each Coast Guard District Commander and Officer in Charge, Marine Inspection. Unless the design or material of the boiler is changed, no further drawings will be required.

§ 53.03-10 *Materials.* (a) The material used in the fabrication of steel plate heating boilers shall conform to the requirements of Parts 51 and 52 of this subchapter for power boilers except where otherwise provided for in this subpart.

(b) Plates used for pressure parts of boilers subject to the radiant heat of the fire shall be of firebox quality steel conforming to the requirements of subparts 51.04 or 51.22 of this subchapter.

(c) Manufacturers of steel heating boilers shall submit a metallurgical test report, in accordance with § 51.01-25, certifying that the chemical and physical properties of the material used in the fabrication of the boiler conform to the applicable specifications of Part 51 of this subchapter.

§ 53.03-15 *Computations and design.* (a) The design pressure of boilers covered by this subpart shall not be less than 30 pounds per square inch.

(b) The maximum allowable pressure and minimum thickness of the cylindrical shell and dished heads of steel plate boilers shall be determined in accordance with the requirements of subparts 52.05 and 52.20 of this subchapter. The efficiency of the longitudinal welded joint shall be taken as 0.65.

(c) The minimum thickness of any boiler plate under pressure shall be $\frac{1}{4}$ inch for unstayed surfaces and $\frac{5}{16}$ inch for stayed surfaces and tube sheets.

§ 53.03-20 *Braced and stayed surfaces.* (a) The design pressure, minimum thickness of material, and pitch of stays for stayed surfaces shall be determined in accordance with the requirements of subpart 52.30 using coefficients as follows:

$C=170$ for plates exposed to the products of combustion and fitted with screw stays with riveted heads or welded collars.
 $C=190$ for plates as above but not exposed to the products of combustion.

$C=238$ for plates exposed to the products of combustion fitted with screw stays with single nuts outside of plate and also for stays fitted with washers of twice the diameter of the stay. The thickness of the washers shall not be less than that of the plates through which the stays project and to which they are welded. Stays shall be supported at intervals not exceeding 6 feet.

$C=274$ for plates as above but not exposed to the products of combustion.

(b) The maximum distance from a corner welded joint to the nearest row of stay bolts shall not exceed one-half the maximum allowable pitch as determined by subpart 52.30.

(c) The diameter of a screw stay shall be taken at the bottom of the thread or point of least diameter. No screwed stay or stay attached by arc welding, shall be made of stock less than $\frac{3}{4}$ inch in diameter.

§ 53.03-25 *Areas to be stayed.* (a) The area of a segment of a flanged head to be stayed shall be the area enclosed by the lines drawn 2 inches from the tubes and 3 inches from the shell. For unflanged heads the area to be stayed shall be the area enclosed by the shell and a line drawn 2 inches from the tubes.

(b) The staying of unflanged heads of welded boilers is not required if the height of the segment between the top of the tubes and the under part of the shell does not exceed one and one-fourth times the maximum allowable pitch of the stays as determined by subpart 52.30. For boilers fabricated with the heads set inside the shell so that the distance from the end of the shell to the outside of the head is at least three times the shell thickness, staying is not required if the height of the segment between the top of the tubes and the under part of the shell does not exceed one and one-half times the maximum allowable pitch of the stays.

§ 53.03-30 *Allowable stresses for stays or braces.* The maximum allowable stresses for stays, staybolts, or braces shall be in accordance with table 53.03-30.

TABLE 53.03-30—MAXIMUM ALLOWABLE STRESSES FOR STAYBOLTS AND STAYS OR BRACES

| Description of staybolts and stays or braces | Stresses (pounds per square inch) | |
|---|---|---|
| | For lengths between supports not exceeding 120 diameters ¹ | For lengths between supports exceeding 120 diameters ¹ |
| (a) Unwelded or flexible staybolts less than 20 diameters ¹ long, screwed through plates with ends riveted over, or such staybolts welded in by the arc welding process. | 7,200 | ----- |
| (b) Hollow steel staybolts less than 20 diameters ¹ long, screwed through plates with ends riveted over, or such staybolts welded in by the arc welding process. | 8,000 | ----- |
| (c) Unwelded stays or braces and unwelded portions of welded stays or braces. | 9,500 | 8,500 |

¹ Diameters taken at body of stay or brace.

§ 53.03-35 *Boiler tubes.* (a) The minimum thickness of copper tubes for heating boilers shall be determined by the following formula.

$$T = \frac{D}{45} + 0.03 \quad (1)$$

Where:

T =thickness of tube wall, in inches.

D =outside diameter of tube, in inches.

(b) Copper tubes thinner than No. 16 B. W. G. gauge shall not be used.

(c) The minimum thickness of steel or wrought iron tubes for heating boilers shall be determined by the following formula.

ers shall be in accordance with table 53.03-35 (c)

TABLE 53.03-35 (c)—STEEL OR WROUGHT IRON TUBE FOR HEATING BOILERS

| Diameter (inches) | Minimum thickness of tubes (inches) |
|-----------------------------|-------------------------------------|
| 1 or over but less than 2½ | 0.095 |
| 2½ or over but less than 3¼ | .105 |
| 3¼ or over but less than 4 | .120 |
| 4 or over but less than 5 | .135 |

(d) Tubes may be attached to tube sheets by rolling and beading, or by welding.

(e) Where rolled and beaded tubes are not normal to the tube sheets, the plates shall have sufficient thickness to provide a parallel seating of not less than ¼ inch in depth between planes at right angles with the axis of the tubes.

§ 53.03-40 *Riveted boilers.* Riveted joints of heating boilers shall conform to the requirements of subpart 52.10 as specified for power boilers.

§ 53.03-45 *Welded boilers.* (a) The design and construction of welded heating boilers shall conform to the applicable requirements prescribed in part 56 of this subchapter for power boilers, except as hereinafter specified.

(b) Radiographic examination and stress relieving of welded joints are not required.

(c) Welded longitudinal shell joints shall be of the double welded butt type or of the single welded butt type fitted with a backing strip.

(d) The circumferential welded shell joints may be of the single or double welded butt type.

(e) Unstayed dished heads without flanges, either concave or convex to the pressure, may be used, provided the diameter of the heads does not exceed 42 inches and the radius of dish does not exceed the diameter of the shell. For diameters exceeding 42 inches, heads meeting the requirements for power boilers shall be used.

(f) Where stays or tubes are welded to plates, the holes shall be countersunk or beveled by machining or pressing to within at least ⅛ inch of the full thickness of the plate. The staybolts shall be attached to the plates by strength fillet welds.

(g) Welded joints attaching unflanged heads, tube sheets, sides, or combustion chamber plates shall be of the single or double welded butt type where possible. Other acceptable types of attachments are the square tee double fillet welded joint and single or double bevel grooved joints.

(h) Unflanged plates of welded joints shall be beveled not less than 45° to permit complete penetration of the weld metal and shall have a fillet reinforcement whose throat dimension shall not be less than one and one-fourth times the thickness of the shell or head, whichever is the least.

§ 53.03-50 *Boiler openings.* (a) Boilers shall be provided with suitable manhole or handhole openings or washout plug openings to permit internal inspection

and removal of sediment. Where the size of the boiler is such that entrance is impractical manhole openings may be omitted.

(b) A manhole shall be placed in the front head below the tubes of a horizontal return tubular boiler 48 inches or over in diameter. There shall be a manhole in the upper part of shell or head of a fire-tube boiler over 48 inches in diameter, except a vertical fire-tube boiler, or a boiler used exclusively for hot-water heating where there is no steam space.

(c) Vertical fire-tube or similar type boilers shall have at least 3 handholes or washout plugs in the lower part of the water leg and at least 2 handholes or washout plugs near the line of the lower tube sheet.

(d) A fire door or other access opening not less than 11 by 15 inches or 10 by 16 inches or 15 inches in diameter shall be provided for the furnace of an internally fired boiler in which the least furnace dimension is 28 inches or over.

(e) Washout plugs shall be made of nonferrous material and be of not less than 2 inches pipe size.

(f) Washout openings may be used for return pipe connections and the washout plug placed in a tee so that the plug is directly opposite and as close as possible to the opening in the boiler.

(g) All threaded openings shall be tapped into material having a minimum thickness as specified for the various pipe sizes in table 53.03-50 (g).

TABLE 53.03-50 (g)—MINIMUM THICKNESS OF MATERIAL FOR THREADED CONNECTIONS

| Pipe size (inches) | Minimum thickness of material or length of thread required (inches) |
|--------------------|---|
| 1 and under | ¼ |
| 1¼ to 2, inclusive | ⅜ |
| 2½ | ⅞ |
| 3 to 3½, inclusive | 1 |

(h) Flanged pipe connections to boilers shall conform to the standards given in table 55.07-15 (e3) of Part 55 of this subchapter for the corresponding pipe sizes.

§ 53.03-55 *Installation.* (a) Feed or make-up water shall not be discharged directly into any part of a boiler exposed to the radiant heat of the fire. Feed water shall not be introduced through the openings or connections used for the water column, the water gauge, or the gauge cocks.

(b) Hot water systems shall be so installed that there will be no opportunity for the fluid-relief column to be accidentally shut off.

(c) When a stop valve is used in the supply pipe connection of a single boiler, there shall be one used in the return pipe connection.

(d) A stop valve shall be used in each supply and return pipe connection if more than one boiler is connected to a common system.

(e) Provision shall be made for cleaning the interior of the return piping at or close to the boiler.

(f) When stop valves are used they shall be properly designated on tags of

metal or other durable material as indicated by the following:

Supply valve—Number (). Do not close without also closing return valve—Number ().

Return valve—Number (). Do not close without also closing supply valve—Number ().

(g) After installation the boiler shall be hydrostatically tested to twice the pressure at which the safety or relief valve is set to open.

§ 53.03-60 *Safety and relief valves.* (a) Each steam boiler shall have one or more approved safety valves of the spring-pop type adjusted and set to discharge at a pressure not to exceed 30 p. s. i.

(b) No safety valve shall be smaller than ¾ inch nor larger than 4 inches. Safety valves may be attached to heating boilers by either flanged or screwed connections. The inlet opening shall have an inside diameter approximately equal to, or greater than the seat diameter.

(c) Each hot-water heating boiler shall have one or more approved relief valves of the spring-loaded type without disk guides on the pressure side of the valve. The valves shall be set to discharge at a pressure not exceeding the design pressure of the boiler. No relief valve shall be smaller than ¾ inch nor larger than 2 inches pipe size.

(d) Each safety and relief valve shall have a suitable lifting device which will positively lift the disk from its seat at least ⅛ inch when there is no pressure on the boiler.

(e) Safety and relief valves shall be installed with spindle vertical if possible, and may be connected directly to the boiler, or to a fitting connected to the boiler by means of a close nipple or Y base, or to a steam pipe between two boilers, or to a header connecting steam outlets on the same boiler. Safety and relief valves shall not be connected to an internal pipe in the boiler.

(f) When a Y base is used the inlet area shall be not less than the combined outlet areas.

(g) Shut-off valves shall not be placed between the safety and relief valve and the boiler, nor in the discharge piping between such valves and the atmosphere.

(h) The escape from safety and relief valves shall be fitted with discharge piping so arranged that there will be no danger of scalding operating personnel. The area of the discharge pipe shall be not less than the area of the valve or aggregate area based on the nominal diameters of the valves with which it connects. The discharge pipe shall be fitted with an open drain.

§ 53.03-65 *Discharge capacities of safety and relief valves.* (a) The sizes and discharge capacities of safety and relief valves for heating boilers shall conform to the requirements of subpart 52.65

covering safety valves for power boilers except as provided for in this part.

(b) The safety and relief valves for each boiler shall be tested for capacity at 3 percent for steam boilers and 10 percent for hot-water boilers over the 30 p. s. i. required set pressure of the valves.

(c) For determining the B. t. u. discharge of relief valves for hot-water boilers the weight of steam (*W*) in pounds per hour shall be multiplied by 1,000. The weight of steam (*W*) shall be determined by § 52.65-10 of this subchapter.

(d) The minimum valve capacity in pounds per hour shall be determined by dividing the maximum B. t. u. output at the boiler nozzle for which the unit is designed by 1,000 or by multiplying the square feet of heating surface by 5. In some instances, a larger valve may be required and in all cases the requirement of paragraph (e) of this section shall be met.

(e) The safety and relief valve capacity for each boiler shall be such that with any fuel-burning equipment installed, the pressure cannot rise more than 6 percent for steam boilers and 10 percent for hot-water boilers above the maximum allowable pressure of the boilers.

(f) Each safety or relief valve shall be plainly marked by the manufacturer in such a way that the markings will not be obliterated in service. The markings may be stamped on the valve body or stamped or cast on a plate securely fastened to the body, and shall contain the following information.

- (1) The name of manufacturer -----
- (2) Size ----- inches.
(The pipe size of the valve inlet)
- (3) Pressure ----- p. s. i.
(Set pressure)
- (4) Capacity ----- lbs. per
(In accordance with § 52.65-10)
hour or relief valve marking. Capacity
----- B. t. u. per hour.

§ 53.03-70 *Fittings and appliances—*

(a) *Steam gauges.* (1) Each steam boiler shall have a steam gauge connected to its steam space, or to its water column, or to its steam connection by means of a siphon or equivalent device exterior to the boiler and of sufficient capacity to keep the gauge tube filled with water and so arranged that the gauge cannot be shut off from the boiler except by a cock, with T or lever handle, placed in the pipe near the gauge. The handle of the cock shall be parallel to the pipe on which it is located when the cock is open.

(2) Connections to steam gauge siphon shall be of nonferrous metal when smaller than 1 inch pipe and longer than 5 feet between the siphon and point of connection of pipe to boiler, and also when smaller than ½ inch pipe size and shorter than 5 feet between the siphon and point of connection of pipe to boiler.

(3) The scale on the dial of the gauge shall be graduated to not less than 30 p. s. i. The gauge shall be provided with effective stops for indicating pointer at the zero point. The travel of the pointer from zero to 30 p. s. i. shall be at least 3 inches.

(b) *Water pressure gauges.* (1) Each hot water boiler shall have a pressure gauge connected to it or to its flow con-

nection in such a manner that it cannot be shut off from the boiler except by a cock, with T or lever handle, placed on the pipe near the gauge. The handle of the cock shall be parallel to the pipe on which it is located when the cock is open.

(2) Pressure gauge connections shall be of nonferrous material when smaller than 1 inch pipe size and longer than 5 feet between gauge and point of connection of pipe to boiler, and also when smaller than ½ inch pipe size and shorter than 5 feet between gauge and point of connection of pipe to boiler.

(c) *Thermometers.* (1) Each hot water boiler shall have a thermometer so located and connected that it will be easily readable when observing the water pressure.

(2) The thermometer shall be so located that it shall at all times indicate the temperature in degrees Fahrenheit of the water in the boiler or near the outlet.

(d) *Temperature combustion regulator.* A temperature combustion regulator, which will control the rate of combustion to prevent the temperature of the water from rising above 250° F. at or near the outlet, or a thermostatic device which will relieve the pressure on the boiler when the temperature exceeds 250° F shall be installed on each hot water heating boiler.

(e) *Bottom blowoff.* Each boiler shall have a blowoff pipe connection fitted with a valve or cock of not less than ¾ inch pipe size connected to the lowest water space available.

(f) *Water gauge glasses.* Each steam boiler shall have one or more water gauge glasses attached to the water column or boiler by means of valved fittings with the lower fitting provided with a valve or pet cock.

(g) *Gauge cocks.* Each steam boiler shall have two or more gauge cocks located within the visible range of the water glass.

(h) *Water column pipes.* The minimum size of pipes connecting a water column to a steam boiler shall be 1 inch. No connections, except for regulator, drain or steam gauge, shall be attached to a water column or the piping connecting a water column to a boiler. If the water column or gauge glass is connected to the boiler by pipe and fittings, a tee, or equivalent fitting, in which a drain valve and piping may be attached, shall be installed in the water piping connection at every right angle turn to facilitate cleaning.

(i) *Low-water fuel cut-off.* (1) All automatically fired steam boilers shall be equipped with low-water fuel cut-off so located as to automatically cut off the fuel supply when the surface of the water falls below the lowest safe water level.

(2) An automatic water feeding device, so located as to supply the required amount of feedwater when the surface of the water falls below the safe water level, may be installed in conjunction with the required low-water fuel cut-off.

§ 53.03-75 *Hydrostatic tests, inspection, and stamping.* (a) Each boiler shall be subject to a hydrostatic test pressure of not less than 60 pounds per square inch by the manufacturer.

(b) In the event of any defects developing, the defective material may be replaced and the boiler retested.

(c) Individual shop inspection of heating boilers by an inspector is not required. Such inspection shall be made by the manufacturer while the boiler is subjected to the required hydrostatic test pressure to insure that there are no defects in workmanship and materials.

(d) Upon completion of the hydrostatic test and inspection and after the boiler is found acceptable it shall be stamped in a suitable location so as to be readily visible, with the following data:

(Name of fabricator and serial number)

(Month and year fabricated)

----- p. s. i.
(Maximum w. p.) (Steam or water)
----- B. t. u. per hour, or pounds per hour.
(Safety or relief valve capacity, minimum)

(Coast Guard Approval No.)

SUBPART 53.05—CAST-IRON HEATING BOILERS

§ 53.05-1 *Scope.* The regulations in this subpart contain detail requirements for the design and construction of cast-iron heating boilers.

§ 53.05-5 *Manufacturer's certification.* A manufacturer desiring to fabricate cast-iron heating boilers for use on vessels subject to inspection by the Coast Guard shall submit an affidavit on Form CG-935A certifying that such boilers will comply with all the applicable requirements of the regulations in this subchapter.

§ 53.05-10 *Material.* The material used in the fabrication of cast-iron heating boilers shall conform to the requirements of subpart 51.64 for grade B or grade C cast iron.

§ 53.05-15 *Washout openings.* All cast-iron steam and hot water heating boilers shall be provided with suitable washout openings to permit the removal of any sediment that may accumulate therein. Washout openings may be used for return pipe connections and the washout plug placed in a tee so that the plug is directly opposite and as close as possible to the opening in the boiler.

§ 53.05-20 *Flanged connections.* Flanged pipe connection openings in boilers shall conform to the American Standard given in table 55.07-15 (J1) of § 55.07-15 (J) of this subchapter for the corresponding pipe size and shall have the corresponding drilling for bolts or studs.

§ 53.05-25 *Threaded openings.* All threaded openings shall be tapped into material having a minimum thickness as specified in table 53.05-25.

TABLE 53.05-25—MINIMUM THICKNESS OF MATERIAL FOR THREADED CONNECTIONS

| Pipe size (inches) | Minimum thickness of material required (inches) |
|--------------------|---|
| ¾ and under | ⅜ |
| 1 to 2½, inclusive | ⅞ |
| 3 to 3½, inclusive | 1 |

§ 53.05-30 *Hydrostatic tests, inspection, and stamping.* (a) The completed boiler shall be subject to a hydrostatic test pressure of not less than 60 pounds per square inch by the manufacturer.

(b) In the event of any defects developing, the defective cored section may be replaced and the boiler retested.

(c) Individual shop inspection of cast-iron heating boilers by an inspector is not required. Such inspection shall be made by the manufacturer while the boiler is subjected to the required hydrostatic test pressure to insure that there are no defects in workmanship and materials.

(d) (1) All cast-iron heating boilers shall be plainly and permanently marked, stamped, or cast with the following data:

- (i) _____
(Name of fabricator and serial number).
- (ii) _____
(Month and year fabricated).
- (iii) _____ p. s. i.
(Maximum w. p.) (Steam or water).
- (iv) _____ pounds per hour or B. t. u.
per hour. (Safety or relief valve capacity, minimum).
- (v) Coast Guard Approval No. _____

(2) Items (i) (ii) and (iii) shall be stamped or cast on all cored sections of the boiler. In addition, a name plate containing all the markings listed herein shall be attached in a suitable location on the outside of the completed boiler or casing.

§ 53.05-35 *Installation.* The provisions of § 53.03-55 shall apply to cast-iron boilers.

§ 53.05-40 *Safety and relief valves.* The provisions of § 53.03-60 shall apply to cast iron boilers except that the safety or relief valve shall be set to discharge at a pressure not to exceed 15 p. s. i.

§ 53.05-45 *Discharge capacities of safety and relief valves.* (a) The provisions of § 53.03-65 shall apply except as specified in this section.

(b) Safety valves for cast-iron heating boilers shall be tested for capacity at 33½ percent over the 15 p. s. i. required set pressure. Relief valves shall be tested at 10 percent over the required set pressure.

(c) The safety and relief valve capacity for each cast-iron boiler shall be such that, with any fuel burning equipment installed, the pressure cannot rise above the maximum allowable pressure more than 5 p. s. i. for a steam boiler or 3 p. s. i. for a hot-water boiler.

§ 53.05-50 *Fittings and appliances.* The provisions of § 53.03-70 shall apply to fittings and appliances for cast-iron boilers.

PART 55—PIPING SYSTEMS

SUBPART 55.04—PIPING CLASSIFICATION

1. Section 55.04-1 (13 F. R. 1731) is amended to read as follows:

§ 55.04-1 *Class I piping.* Class I piping includes the various systems conveying mediums over pressures or temperatures as follows:

TABLE 55.04-1—PRESSURE AND TEMPERATURE LIMITATIONS

| Service: | Pressure (pounds per square inch) | Temperature ° F. |
|---------------------------|---|---------------------|
| Lethal gases and liquids. | Any. | Any. |
| Gases or vapors. | Over 150. | Over 650-650.1 |
| Water. | Over 150. | Over 650. |
| Fuel oil. | Over 150. | Over 650. |
| Lubricating oil. | Over 150. | Over 650. |
| Compressed gases. | Over 150. | Over 650. |

¹ For temperatures exceeding 650° F., the pressure shall not exceed the following: 150 pounds per square inch when the temperature is 650° F.; 149 pounds per square inch when the temperature is 655° F.; 148 pounds per square inch when the temperature is 660° F.; 147 pounds per square inch when the temperature is 665° F.; 146 pounds per square inch when the temperature is 670° F.

(R. S. 4417a, 4418, 4426, 4427, 4429-4434, 4453, and 4491, sec. 14, 29 Stat. 690, 41 Stat. 305, 49 Stat. 1544, 54 Stat. 346, and sec. 5(e) 55 Stat. 244, as amended; 46 U. S. C. 363, 366, 391a, 392, 404, 405, 407-412, 435, 1333, 50 U. S. C. 1275)

SUBPART 55.07—DETAIL REQUIREMENTS

2. Section 55.07-15 is amended by changing the descriptions for figures 55.07-15 (f5) and 55.07-15 (f6) (13 F. R. 1736) to read as follows:

§ 55.07-15 *Joints and flange connections.* * * *

FIGURE 55.07-15 (f5). Flanges machined from steel plate meeting the requirements of subpart 51.22 may be used for class II piping for pressures not exceeding 125 pounds per square inch and temperatures not exceeding 450° F. The machined flanges shall comply with table 55.07-15 (e3). The face of the flanges shall extend beyond the end of the pipe at least equal to the thickness of the pipe wall.

FIGURE 55.07-15 (f6). Steel plate flanges meeting the material and construction requirements listed in figure 55.07-15 (f5) may be used for class II piping for pressures not exceeding 150 pounds per square inch and temperatures not exceeding 650° F. The flange shall be attached to the pipe as shown by figure 55.07-15 (f6). For temperatures exceeding 600° F., the pressure shall not exceed that permitted by table 55.07-15 (e10).

(R. S. 4417a, 4418, 4426, 4427, 4429-4434, 4453, and 4491, sec. 14, 29 Stat. 690, 41 Stat. 305, 49 Stat. 1544, 54 Stat. 346, and sec. 5(e) 55 Stat. 244, as amended; 46 U. S. C. 363, 366, 391a, 392, 404, 405, 407-412, 435, 1333, 50 U. S. C. 1275)

3. Section 55.07-15 (g) (13 F. R. 1735) is amended to read as follows:

(g) Forged or cast steel valves, flanges, and pipe fittings of the socket welding type, wherein the pipe is inserted into the socket and is secured by means of a strength fillet weld may be employed for pipe diameters not exceeding 2 inches for class I piping and without diameter limitation for class II piping. (R. S. 4417a, 4418, 4426, 4427, 4429-4434, 4453, and 4491, sec. 14, 29 Stat. 690, 41 Stat. 305, 49 Stat. 1544, 54 Stat. 346, and sec. 5 (e), 55 Stat. 244, as amended; 46 U. S. C. 363, 366, 391a, 392, 404, 405, 407-412, 435, 1333, 50 U. S. C. 1275)

SUBPART 55.10—PUMPING ARRANGEMENTS AND PIPING SYSTEMS

4. Section 55.10-1 (13 F. R. 1739) is amended to read as follows:

§ 55.10-1 *Bilge and ballast systems—*
(a) *General.* All vessels shall be pro-

vided with a satisfactory pumping plant capable of pumping from and draining any compartment when the vessel is on an even keel and either upright or listed. For this purpose wing suction will generally be necessary except in narrow compartments at the ends of the vessel. Arrangements shall be made whereby water in the compartments will drain to the suction pipes. Efficient means shall be provided for draining water from all tank tops, other watertight flats and holds. Peak tanks, chain lockers and decks over peak tanks may be drained by eductors, ejectors, or hand pumps.

(b) *Bilge pumps.* Bilge pumps for vessels of various types, sizes, and service shall be provided as follows:

(1) *Large self-propelled passenger and cargo vessels.* (i) Ocean, coastwise, and Great Lakes vessels, 180 feet in length or more, shall have at least three power pumps connected to the bilge main. For passenger vessels operating more than 200 miles offshore, one of the required pumps shall be an emergency pump of a reliable submersible type, the source of power for which shall be located above the bulkhead deck.

(ii) When the criterion numeral exceeds 30 an additional independent power pump shall be provided.

NOTE: See § 46.4 of this chapter (Subchapter E—Load Lines) for determination of criterion numeral.

(iii) One of the required bilge pumps may be attached to the main propelling engine.

(iv) The bilge and ballast systems of Great Lakes cargo vessels are exempted from the requirements of this paragraph; however, suitable means of pumping and draining compartments acceptable to the Commandant shall be provided.

(2) *Small self-propelled passenger and cargo vessels.* (i) All vessels below 180 feet in length shall have at least two power pumps connected to the bilge main.

(ii) One of the required bilge pumps may be attached to the main propelling engine, except as provided for in subparagraph (iv) of this subparagraph.

(iii) On lakes, bays, sounds, and river vessels where steam is always available, or where suitable water supply is available from a power pump of adequate pressure and capacity, syphons or eductors may be substituted for one of the required power pumps provided a syphon or eductor is permanently installed in each cargo hold or compartment.

(iv) A vessel of 100 gross tons or less shall have at least one power pump or two suitable hand pumps. The pumps shall meet the requirements of paragraph (f) of this section, but in no case shall the capacity be less than 50 gallons per minute.

(3) *Self-propelled tank vessels.* (i) Two power driven bilge pumps shall be connected to the bilge main in the machinery space of each tank ship.

(ii) One of the required bilge pumps may be attached to the main propelling engine.

(iii) The bilges forward of the cargo tanks may be drained by a power or hand pump, syphons, or eductors. If syphons

or eductors are employed, the same shall be permanently installed in each compartment.

(4) *Ocean-going sailing vessels and barges.* Efficient hand pumps which can be operated from above the bulkhead deck or the highest convenient level which is always accessible shall be installed on ocean-going sailing vessels and barges. There shall be one pump for each compartment or two pumps connected to a bilge main having at least one branch to each compartment. Where power is always available two power pumps connected to the bilge main may be substituted for the hand pumps.

(5) *River and harbor service, unmanned barges.* Suitable hand or power-operated pumps or syphons, portable or fixed, carried either on board the barge or on the towing vessel shall be provided for river and harbor service on unmanned barges.

(c) *Priming.* Suitable means shall be provided for priming centrifugal pumps.

(d) *Location.* The power bilge pumps shall be located in separate watertight compartments where practicable. If watertight bulkheads separate the engine and boiler rooms a direct suction shall be fitted to each compartment unless the bilge pumps are distributed throughout these compartments, in which case at least one pump in each compartment shall be fitted with a direct suction in its compartment.

(e) *Other pumps.* Sanitary, ballast, and general service pumps may be accepted as independent power bilge pumps if fitted with the necessary connections to the bilge-pumping system.

(f) *Independent power bilge pumps.* The independent power bilge pumps required by paragraph (b) of this section shall be capable of drawing the water through their suction pipes at a velocity of not less than 400 feet per minute under ordinary working conditions. (R. S. 4417a, 4418, 4426, 4427, 4429-4434, 4453, and 4491, sec. 14, 29 Stat. 690, 41 Stat. 305, 49 Stat. 1544, 54 Stat. 346, and sec. 5 (e) 55 Stat. 244, as amended; 46 U. S. C. 363, 366, 391a, 392, 404, 405, 407-412, 435, 1333, 50 U. S. C. 1275)

5. Section 55.10-5 (13 F. R. 1739) is amended by adding a new subparagraph (3) to paragraph (a) and by amending paragraph (g) which read as follows:

§ 55.10-5 *Bilge and ballast piping.* (a) * * *

(3) For vessels of 100 gross tons or less the bilge pipe sizes computed by formulas (1) and (2) of this paragraph are not mandatory, but in no case shall the size be less than one inch nominal pipe size.

(g) Pipes for draining cargo or machinery spaces shall be separate from pipes which are used for filling or emptying spaces where water or oil is carried and shall be controlled by separate valves at the pumps so arranged as to preclude the entrance of water or oil into cargo or machinery spaces. The foregoing requirements do not apply to bilge and ballast systems on Great Lakes cargo vessels which may employ a common line

for the bilge and ballast system for the cargo spaces. (R. S. 4417a, 4418, 4426, 4427, 4429-4434, 4453, and 4491, sec. 14, 29 Stat. 690, 41 Stat. 305, 49 Stat. 1544, 54 Stat. 346, and sec. 5 (e) 55 Stat. 244, as amended; 46 U. S. C. 363, 366, 391a, 392, 404, 405, 407-412, 435, 1333, 50 U. S. C. 1275)

6. Section 55.10-15 (b) is amended to read as follows:

§ 55.10-15 *Vent, overflow, and sounding pipes.* * * *

(b) *Overflow pipes.* Where overflow pipes are fitted to fuel oil settling tanks or deep tanks, they shall meet the following requirements:

(1) Where tanks may be filled by a pressure head exceeding that for which the tank is designed, the aggregate area of the vents in each tank shall be at least equal to the area of the filling line unless the tanks are protected by overflows, in which case the area of the overflow shall not be less than that of the filling line.

(2) Overflow pipes which discharge through the vessel's side shall be located as far above the deep load line as practicable and shall be provided with non-return valves located on the vessel's side. Where the overflows do not extend above the freeboard deck before discharging overboard there shall be provided in addition an efficient and accessible means for preventing water from passing inboard. Such means may consist of another nonreturn valve located in an accessible position above the deepest load line. Where it is impracticable to locate the inboard valve in an accessible position, one nonreturn valve with positive means of closing same from above the bulkhead or freeboard deck will be acceptable. (R. S. 4417a, 4418, 4426, 4427, 4429-4434, 4453, and 4491, sec. 14, 29 Stat. 690, 41 Stat. 305, 49 Stat. 1544, 54 Stat. 346, and sec. 5 (e) 55 Stat. 244, as amended; 46 U. S. C. 363, 366, 391a, 404, 405, 407-412, 435, 1333, 50 U. S. C. 1275)

PART 56—ARC WELDING, GAS WELDING, AND BRAZING

SUBPART 56.01—ARC WELDING AND GAS WELDING

Section 56.01-80 (e) (13 F. R. 1748) is amended to read as follows:

§ 56.01-80 *Welded piping.* * * *

(e) For class I piping, double welded butt joints or single welded butt joints fitted with a backing ring or its equivalent on the inside of the pipe shall be employed when the pipe diameter exceeds 2 inches. Piping of diameters not exceeding 2 inches may be joined by sleeves fitted over the ends of the pipes, or by socket joints attaching the ends of the pipes by strength fillet welds. If butt joints are employed for pipe diameters of 2 inches and below the backing ring may be omitted in sizes below 1 inch. (R. S. 4417a, 4418, 4426, 4427, 4429-4434, 4453, and 4491, as amended, sec. 14, 29 Stat. 690, 41 Stat. 305, 49 Stat. 1544, 54 Stat. 346, and sec. 5 (e) 55 Stat. 244, as amended; 46 U. S. C. 363, 366, 367, 391a, 392, 404, 405, 407-412, 435, 1333, 50 U. S. C. 1275)

Subchapter G—Ocean and Coastwise General Rules and Regulations

PART 59—BOATS, RAFTS, BULKHEADS, AND LIFESAVING APPLIANCES (OCEAN)

1. Section 59.11 (f) is amended to read as follows:

§ 59.11 *Lifeboat equipment.* * * *

(f) *Parachute flare distress signals.*

(1) Twelve approved parachute red flare distress signals and an approved means of projecting them, all contained in a portable watertight case. Service use of the signals shall be limited to a period of three years from date of manufacture. (For specifications for the above equipment, see subparts 160.024 and 160.036 in Subchapter Q of this chapter.)

(2) The stowage of this equipment, except in the emergency and motor lifeboats, is discretionary with the master.

(3) On cargo vessels, parachute red flare distress signal equipment need not be provided for more than two lifeboats. (R. S. 4488, 49 Stat. 1544, 54 Stat. 346, and sec. 5 (e) 55 Stat. 244, as amended; 46 U. S. C. 367, 396, 404, 481, 490, 1333, 50 U. S. C. 1275)

2. Section 59.55 *Life preservers* is amended by deleting paragraph (c) *Buoyant materials.* (R. S. 4426, 4489, 4492, 35 Stat. 428, 49 Stat. 1544, 54 Stat. 346, and sec. 5 (e), 55 Stat. 244, as amended; 46 U. S. C. 367, 396, 404, 481, 490, 1333, 50 U. S. C. 1275)

3. Section 59.56 is amended to read as follows:

§ 59.56 *Life buoys*—(a) *Number required.*

(1) The minimum number of approved 30-inch life buoys and the minimum number to which approved water lights shall be attached shall be in accordance with the following table:

| Length of vessel | Minimum number of approved 30-inch life buoys | Minimum number of approved 30-inch life buoys with approved water lights attached |
|----------------------------------|---|---|
| Under 200 feet..... | 8 | 0 |
| 200 feet and under 400 feet..... | 12 | 0 |
| 400 feet and under 600 feet..... | 18 | 9 |
| 600 feet and under 800 feet..... | 24 | 12 |
| 800 feet and over..... | 30 | 15 |

(2) One life buoy on each side of a vessel shall have an attached line at least 15 fathoms in length.

(b) *Distribution and securing of life buoys and water lights.* All life buoys and water lights shall be distributed and secured as follows:

(1) All life buoys shall be so placed as to be readily accessible to the persons on board, and their positions plainly indicated so as to be known to the persons concerned.

(2) The life buoys shall always be capable of being cast loose, and shall not be permanently secured in any way. (R. S. 4426, 4488, 49 Stat. 1544, 54 Stat. 346, and sec. 5 (e) 55 Stat. 244, as amended; 46 U. S. C. 367, 404, 481, 1333, 50 U. S. C. 1275)

PART 60—BOATS, RAFTS, BULKHEADS, AND LIFESAVING APPLIANCES (COASTWISE)

1. Section 60.9 (f) is amended to read as follows:

§ 60.9 *Lifeboat equipment.* * * *

(f) *Parachute flare distress signals.* (1) Twelve approved parachute red flare distress signals and an approved means of projecting them, all contained in a portable watertight case. Service use of the signals shall be limited to a period of three years from date of manufacture. (For specifications for the above equipment, see subparts 160.024 and 160.036 in Subchapter Q of this chapter.)

(2) On passenger vessels certificated for the Coastwise Service, parachute red flare distress signal outfits shall be provided in the ratio of one outfit for each five boats or fraction thereof.

(3) The stowage of this equipment, except in the emergency and motor lifeboats, is discretionary with the master.

(4) On cargo vessels, parachute red flare distress signal equipment need not be provided for more than two lifeboats. (R. S. 4488, 49 Stat. 1544, 54 Stat. 346, and sec. 5 (e) 55 Stat. 244, as amended; 46 U. S. C. 367, 481, 1333, 50 U. S. C. 1275)

2. Section 60.48 *Life preservers* is amended by deleting paragraph (e) *Buoyant materials.*

3. Section 60.49 is amended to read as follows:

§ 60.49 *Life buoys*—(a) *Number required.* (1) The minimum number of approved 30-inch life buoys and the minimum number to which approved water lights shall be attached shall be in accordance with the following table:

| Length of vessel | Minimum number of approved 30-inch life buoys | Minimum number of approved 30-inch life buoys with approved water lights attached |
|----------------------------------|---|---|
| Under 100 feet..... | 2 | 0 |
| 100 feet and under 200 feet..... | 4 | 2 |
| 200 feet and under 300 feet..... | 6 | 2 |
| 300 feet and under 400 feet..... | 12 | 4 |
| 400 feet and under 600 feet..... | 18 | 9 |
| 600 feet and under 800 feet..... | 24 | 12 |
| 800 feet and over..... | 30 | 15 |

(2) One life buoy on each side of a vessel shall have an attached line at least 15 fathoms in length.

(b) *Distribution and securing of life buoys and water lights.* All life buoys and water lights shall be distributed and secured as follows:

(1) All life buoys shall be so placed as to be readily accessible to the persons on board, and their positions plainly indicated so as to be known to the persons concerned.

(2) The life buoys shall always be capable of being cast loose, and shall not be permanently secured in any way. (R. S. 4426, 4488, 49 Stat. 1544, 54 Stat. 346, and sec. 5 (e) 55 Stat. 244, as amended; 46 U. S. C. 367, 404, 481, 1333, 50 U. S. C. 1275)

PART 61—FIRE APPARATUS; FIRE PREVENTION

Section 61.17 (b) (4) (ii) is amended to read as follows:

§ 61.17 *Fire-detecting and automatic sprinkling systems.* * * *

(b) *Electrical and pneumatic-tube systems.* * * *

(4) *Zoning.* * * *

(ii) Spaces separated by watertight or main vertical zone bulkheads shall not be included in the same fire alarm zone. Further, a fire alarm zone shall not include spaces on more than one deck except in the case of peak spaces having a combined ceiling area not exceeding 3,000 square feet, or in the case of a system with indicators for individual spaces. (R. S. 4426, 4470, 4471, 49 Stat. 1544, 54 Stat. 346, 1023, and sec. 5 (e) 55 Stat. 244, as amended; 46 U. S. C. 367, 404, 463, 463a, 464, 1333, 50 U. S. C. 1275)

PART 63—INSPECTION OF VESSELS

Part 63 is amended by adding a new § 63.5a to immediately follow § 63.5, reading as follows:

§ 63.5a *Gas-free certificates for repairs or alterations involving hot work.* On any vessel which has carried inflammable or combustible liquids in bulk, as fuel or cargo, whether in a repair yard or elsewhere, no repairs or alterations involving riveting, welding, burning, or like fire-producing operations shall be made in or on the boundaries of oil bunkers, oil tanks, oil pipe lines and heating coils until an inspection has been made to determine that such operations can be undertaken with safety. Such inspections shall be made and evidenced as follows:

(a) When in a port of the United States, this inspection shall be made by a gas chemist certificated by the American Bureau of Shipping; however, if the services of such certified gas chemist are not reasonably available, the marine inspector of the Coast Guard, upon recommendation of the vessel's owner and his contractor, or their representatives, shall select a person who, in the case of an individual vessel, shall be authorized to make the inspection. If the inspection indicates that such operations can be undertaken with safety, a certificate setting forth that fact in writing and qualified, as may be required, shall be issued by the certified gas chemist or the authorized person before the work is started.

(b) When not in such a port and a gas chemist is not available, this inspection shall be made by the senior officer present, who shall make an entry in the log to that effect. (R. S. 4417, 4426, 49 Stat. 1544, 54 Stat. 346, 1023, and sec. 5 (e) 55 Stat. 244, as amended; 46 U. S. C. 367, 391, 404, 463a, 1333, 50 U. S. C. 1275)

Subchapter H—Great Lakes: General Rules and Regulations**PART 76—BOATS, RAFTS, BULKHEADS, AND LIFESAVING APPLIANCES**

1. Section 76.14 is amended by changing paragraphs (e) and (s) to read as follows:

§ 76.14 *Equipment for lifeboats on vessels of classes (a) (b) (c) (d) and (e)*

(e) *Distress signals.* (1) Twelve approved hand red flare distress signals in a watertight container, or twelve approved hand combination flare and smoke distress signals in a watertight container. Service use shall be limited to a period of three years from date of manufacture. Distress signals not bearing date of manufacture shall not be carried after January 1, 1949. (For specifications for the above signals see subparts 160.021, 160.022, and 160.023 in Subchapter Q of this chapter.)

(2) Either an approved flashlight or twelve approved parachute red flare distress signals and an approved means of projecting them, all contained in a portable watertight case, may be substituted for six of the above distress signals, but at least six of the above hand red flare distress signals shall be carried. Service use of the signals shall be limited to a period of three years from date of manufacture. (For specifications for the parachute red flare distress signal equipment, see subparts 160.024 and 160.036 in Subchapter Q of this chapter.) (R. S. 4426, 4488, 54 Stat. 346, and sec. 5 (e) 55 Stat. 244, as amended; 46 U. S. C. 367, 404, 481, 1333, 50 U. S. C. 1275)

(s) *Parachute flare distress signals.* (Optional, see distress signals in paragraph (e) of this section.) The stowage of parachute flare distress signals in lifeboats is discretionary with the master.

2. Section 76.52 *Life preservers* is amended by deleting paragraph (e) *Buoyant materials.* (R. S. 4426, 4488, 54 Stat. 346, and sec. 5 (e) 55 Stat. 244, as amended; 46 U. S. C. 404, 481, 1333, 50 U. S. C. 1275.)

3. Section 76.53 is amended to read as follows:

§ 76.53 *Life buoys.* (See § 60.49 of this chapter, as amended, which is identical with this section.)

PART 77—FIRE APPARATUS; FIRE PREVENTION

Section 77.17 (b) (4) (ii) is amended to read as follows:

§ 77.17 *Fire-detecting and automatic sprinkling systems.* (See § 61.17 of this chapter, as amended, which is identical with this section.)

PART 79—INSPECTION OF VESSELS

Part 79 is amended by adding a new § 79.5a to immediately follow § 79.5, reading as follows:

§ 79.5a *Gas-free certificates for repairs or alterations involving hot work.* (See § 63.5a of this chapter, which is identical with this section.)

Subchapter I—Bays, Sounds, and Lakes Other Than the Great Lakes: General Rules and Regulations**PART 94—BOATS, RAFTS, BULKHEADS, AND LIFESAVING APPLIANCES**

1. Section 94.52 *Life preservers* is amended by deleting paragraph (e)

Buoyant materials. (R. S. 4426, 4488, 54 Stat. 346, and sec. 5 (e) 55 Stat. 244, as amended; 46 U. S. C. 404, 481, 1333, 50 U. S. C. 1275)

2. Section 94.53 is amended to read as follows:

§ 94.53 *Life buoys.* (See § 60.49 of this chapter, as amended, which is identical with this section.)

PART 95—FIRE APPARATUS; FIRE PREVENTION

Section 95.16 (b) (4) (ii) is amended to read as follows:

§ 95.16 *Fire detecting and automatic sprinkling systems.* (See § 61.17 of this chapter, as amended, which is identical with this section.)

PART 97—INSPECTION OF VESSELS

Part 97 is amended by adding a new § 97.5a to immediately follow § 97.5, reading as follows:

§ 97.5a *Gas-free certificates for repairs or alterations involving hot work.* (See § 63.5a of this chapter, which is identical with this section.)

Subchapter J—Rivers: General Rules and Regulations

PART 113—BOATS, RAFTS, BULKHEADS, AND LIFESAVING APPLIANCES

1. Section 113.44 *Life preservers* is amended by deleting paragraph (e) *Buoyant materials.* (R. S. 4482, 4488, 54 Stat. 346, and sec. 5 (e) 55 Stat. 244, as amended; 46 U. S. C. 474, 481, 1333, 50 U. S. C. 1275)

2. Section 113.46 is amended to read as follows:

§ 113.46 *Life buoys.* (See § 60.49 of this chapter, as amended, which is identical with this section.)

PART 114—FIRE APPARATUS; FIRE PREVENTION

Section 114.17 (b) (4) (ii) is amended to read as follows:

§ 114.17 *Fire detecting and automatic sprinkling systems.* (See § 61.17 of this chapter, as amended, which is identical with this section.)

PART 116—INSPECTION OF VESSELS

Part 116 is amended by adding a new § 116.5a to immediately follow § 116.5, reading as follows:

§ 116.5a *Gas-free certificates for repairs or alterations involving hot work.* (See § 63.5a of this chapter, which is identical with this section.)

Subchapter M—Construction or Material Alteration of Passenger Vessels of the United States of 100 Gross Tons and Over Propelled by Machinery

PART 144—CONSTRUCTION OR MATERIAL ALTERATION OF PASSENGER VESSELS OF THE UNITED STATES OF 100 GROSS TONS AND OVER PROPELLED BY MACHINERY

Section 144.29 is amended to read as follows:

§ 144.29 *Alternate materials.* (a) In any case where it is shown to the satisfaction of the Commandant that the use of fire retardant materials required by §§ 144.09 to 144.27, inclusive, for the construction or material alteration of any vessel is not reasonable nor practicable, the Commandant may permit the use of alternate materials to such an extent and upon such conditions as will insure, to his satisfaction, a degree of safety consistent with the minimum standards set forth in this part.

(b) Prior to July 1, 1949, plain glass may be used as an alternate for the wire inserted glass required by this subchapter. (Sec. 5, 49 Stat. 1384, sec. 2, 54 Stat. 1028, and sec. 5 (e) 55 Stat. 244, as amended; 46 U. S. C. 369, 463a, 50 U. S. C. 1275)

Subchapter N—Explosives or Other Dangerous Articles or Substances, and Combustible Liquids on Board Vessels

PART 146—TRANSPORTATION, OR STORAGE OF EXPLOSIVES OR OTHER DANGEROUS ARTICLES OR SUBSTANCES, AND COMBUSTIBLE LIQUIDS ON BOARD VESSELS

DETAILED REGULATIONS GOVERNING CORROSIVE LIQUIDS

1. Section 146.23-10 is amended to read as follows:

§ 146.23-10 *Sulfuric acid in bulk.* Sulfuric acid may be transported in bulk on board cargo vessels in conformity with the following provisions:

(a) In tanks forming an integral part of the structure of the vessel:

(1) Provided the sulfuric acid is of a specific gravity of not less than 1.8125 (65° Baumé) or of greater strength.

(2) Sulfuric acid of a specific gravity of not less than 1.7059 (60° Baumé) and of greater strength, up to but not exceeding 1.8068 specific gravity (64.75° Baumé) provided the acid has been treated with an inhibitor that renders its corrosive effects on steel no greater than that of 66° Baumé, commercial sulfuric acid.

(3) Integral tanks shall be constructed and tested to meet the requirements of the rules of the American Bureau of Shipping.

(4) Integral tanks used for the stowage of the types of sulfuric acid in bulk permitted by subparagraphs (1) and (2) of this paragraph shall be vented to the atmosphere to prevent development of internal pressure. The vent pipe shall be at least equal in diameter to that of the tank filling line and of a thickness not less than that of standard weight pipe. No openings shall be permitted in a tank below deck, except such openings as are required for access or maintenance purposes, and these openings shall be fitted with bolted plate covers and gaskets. The gaskets shall be of a material resistive to the action of sulfuric acid. Filling and discharge lines shall terminate above the weather deck and be fitted with suitable stop valves.

(5) The exhaust end of the vent line shall terminate above the weather deck in a location clear of obstruction and away from any source of open flame. The outlet of the vent shall be fitted with a gooseneck bend and flame screen made

of corrosive-resistant wire of at least 30 x 30 mesh for a single screen, or two screens of corrosive-resistant wire at least 20 x 20 mesh, placed not less than 1 inch or more than 1½ inches apart. No stop valve or frangible disk shall be fitted in a vent line.

(6) An outage space of not less than 1% of the capacity of the tank shall be maintained at time of filling.

(7) Air pressure shall not be used to discharge cargo from tanks forming an integral part of the structure of the vessel.

(b) In tanks (pressure-vessel type) independent of the structure of the vessel, acid of 52° Baumé minimum strength or over may be transported without restriction: *Provided.*

(1) The acid is stowed in independent tanks which shall be designed for a pressure of not less than 50 pounds per square inch and shall be fabricated, inspected, and tested in compliance with the requirements for Class III arc-welded unfired pressure vessels, as set forth in Parts 50 to 57, inclusive, of this chapter (Subchapter F—Marine Engineering)

(2) Independent tanks used for the stowage of the type of sulfuric acid in bulk permitted by paragraph (b) of this section shall be fitted with vent pipes discharging to the atmosphere. The vent shall be fitted with a frangible rupture disk to permit the use of air pressure in discharging the cargo and to prevent development of internal pressure in the tank of above 30 pounds per square inch. The vent shall be at least equal in diameter to that of the tank filling line, and of a thickness of not less than that of standard weight pipe. No openings shall be permitted in a tank below deck, except such openings as are required for access or maintenance purposes, and these openings shall be fitted with bolted plate covers and gaskets. The gaskets shall be of a material resistive to the action of sulfuric acid. Filling and discharge lines shall terminate above the weather deck and be fitted with suitable stop valves.

(3) The outlet of the vent line shall terminate above the weather deck in a location clear of obstruction and away from any source of open flame. The outlet of a vent line shall be fitted with a gooseneck bend and flame screen made of corrosive-resistant wire of at least 30 x 30 mesh for a single screen, or two screens of corrosive-resistant wire at least 20 x 20 mesh, placed not less than 1 inch or more than 1½ inches apart. The vent shall be closed with a frangible disk of lead or other suitable material of a thickness that will hold a pressure of 30 pounds per square inch for a period of one hour but will rupture within eight hours. No stop valve shall be fitted in a principal vent line. An auxiliary vent for use in relieving pressure or vacuum in the tank during filling or discharge of cargo may be taken off a vent pipe between the tank and the frangible disk, provided such vent discharges above the weather deck and provided further the outlet of the vent is fitted with a gooseneck bend and flame screen or screens, as described in this subparagraph. The auxiliary vent shall be fitted with a stop valve.

(4) An outage space of not less than 1% of the capacity of the tank shall be maintained at time of filling.

(5) Independent tanks shall be so installed in the vessel that sufficient space is provided between any structure of the vessel and the tank itself for purpose of inspection. Such space must be sufficient to permit unobstructed examination.

2. Part 146 is amended by adding two new §§ 146.23-10a and 146.23-10b, to follow § 146.23-10, reading as follows:

§ 146.23-10a *Spent sulfuric acid in bulk.* Spent sulfuric acid may be transported in bulk on board cargo vessels in conformity with the following provisions:

(a) In independent, rubber-lined, tanks (pressure-vessel type) or in "built-in" rubber-lined tanks. Approval by the Commandant is required for "built-in" type of construction.

(b) Independent tanks shall be designed for a pressure of not less than 50 pounds per square inch and shall be fabricated, inspected, and tested in compliance with the requirements for Class III arc-welded unfired pressure vessels, as set forth in Parts 50 to 57, inclusive, of this chapter (Subchapter F—Marine Engineering).

(c) Independent tanks used for the stowage of spent sulfuric acid in bulk shall be fitted with vent pipes discharging to the atmosphere. The vent pipes shall be fitted with a frangible rupture disk to permit the use of air pressure in discharging the cargo and to prevent development of internal pressure in the tank of above 30 pounds per square inch. The vent pipes shall be at least equal in diameter to that of the tank filling line and of a strength at least equivalent to that of the tank. No openings shall be permitted in a tank below deck, except such openings as are required for access or maintenance purposes, and these openings shall be fitted with bolted plate covers and gaskets. The gaskets shall be of a material resistive to the action of sulfuric acid. The cargo filling line shall terminate above the weather deck and shall be fitted with a stop valve. The cargo discharge line may terminate above the weather deck or through the shell of the vessel, provided in the latter case such piercing of the vessel's hull shall conform to the rules and requirements of the American Bureau of Shipping.

(d) For independent tanks, the vent and its fittings, such as gooseneck, flame screen, frangible disk, stop valve, and the auxiliary vent, shall be installed in compliance with the provisions of paragraph (b) (3) of § 146.23-10.

(e) An outage space of not less than 1% of the capacity of the tank shall be maintained at time of filling.

(f) Independent tanks used for the stowage of spent sulfuric acid shall be so installed in the vessel that sufficient space is provided between any structure of the vessel and the tank itself for purpose of inspection. Such space must be sufficient to permit unobstructed examination. This provision shall not apply to "built-in" tanks when approval is given to permit parts of the structure of a

vessel to be used to form a part or parts of the tank.

(g) "Built-in" tanks shall be fitted with pipes discharging to the atmosphere. The vent pipe shall be at least equal in diameter to that of the tank filling line, and of a thickness of not less than that of standard weight pipe. No openings shall be permitted in a tank below deck except such openings as are required for access or maintenance purposes, and these openings shall be fitted with bolted plate covers and gaskets. The gasket shall be of a material resistive to the action of sulfuric acid. The cargo filling line shall terminate above the weather deck and shall be fitted with a stop valve. The cargo discharge line may terminate above the weather deck or through the shell of the vessel, provided in the latter case such piercing of the vessel's hull shall conform to the rules of the American Bureau of Shipping.

(h) The outlet of the vent shall terminate above the weather deck in a location clear of obstruction and away from any source of open flame. The outlet of the vent shall be fitted with a gooseneck bend and flame screen made of corrosive-resistant wire of at least 30 x 30 mesh for a single screen, or two screens of corrosive-resistant wire at least 20 x 20 mesh, placed not less than 1 inch or more than 1½ inches apart. No stop valve or frangible disk shall be fitted in a vent line.

(i) An outage space of not less than 1% of the capacity of the tank shall be maintained at time of filling.

(j) Air pressure shall not be used to discharge cargo from "built-in" tanks.

(k) Rubber-lined tanks shall have their interior surfaces prepared to receive the lining. Welds shall be chipped or ground smooth. The interior surface shall be thoroughly cleaned and maintained free of all foreign matter during the lining process. The rubber used for lining shall be of a type resistive to dilute sulfuric acid, and shall be of a thickness of not less than ¼ inch and shall be bonded to the plating. Joints shall overlap at least 1½ inches and the edges shall be beveled to an angle of approximately 45° and vulcanized in place. Filling and discharge lines shall be rubber lined or otherwise lined or coated with material resistive to dilute sulfuric acid. Vent lines shall be rubber lined at least to the height of the frangible disk.

§ 146.23-10b *General requirements.*

(a) Where applicable the provisions of this section shall be complied with in the handling and transportation of sulfuric acid in bulk and spent sulfuric acid in bulk.

(b) All inclosed compartments in which acid tanks are installed shall be provided with efficient means of ventilation. Pump rooms and compartments containing machinery to handle acid cargo shall be ventilated.

(c) All cargo pumps, piping, valves and fittings used for handling acid shall be made of material resistive to the corrosive effects of the type acid being handled, or shall be suitably protected against corrosion.

(d) In handling sulfuric acid or spent sulfuric acid in bulk no naked light shall be permitted in the vicinity of the operation. Smoking shall be prohibited and the master or person in charge of the vessel shall post "No Smoking" signs. All artificial lights other than electric lights or portable battery lights are prohibited from use during the operation. A water hose shall be connected, and ready for use and any leakage of acid shall be immediately washed down. Tools necessary in loading or unloading operations shall be of the nonsparking type. Fire or other naked light shall not be applied to any tank for the purpose of liquefying congealed sulfuric acid. The only means permitted to liquefy frozen or congealed sulfuric acid shall be a steam-heated coil or coils.

R. S. 4472, as amended, 54 Stat. 1023, sec. 5 (e) 55 Stat. 244; 46 U. S. C. 170, 50 U. S. C. 1275)

DETAILED REGULATIONS GOVERNING COMPRESSED GASES

3. Section 146.24-2 is amended to read as follows:

§ 146.24-2 *Compressed gas defined.*

(a) A compressed gas for the purposes of these regulations is defined as any material or mixture having in the container either an absolute pressure exceeding 40 pounds per square inch at 70° F., or an absolute pressure exceeding 104 pounds per square inch at 130° F., or both; or any liquid inflammable material having a Reid¹ vapor pressure exceeding 40 pounds per square inch absolute at 100° F. (See §§ 146.25-1 to 146.25-100, inclusive, for gases defined and classified as poisonous.)

(b) Any compressed gas, as defined in paragraph (a) of this section, shall be classified as an inflammable compressed gas if either:

(1) A mixture of 13 percent or less (by volume) with air forms an inflammable mixture;² or,

(2) The inflammability range² with air is greater than 12 percent regardless of the lower limit. (R. S. 4472, as amended, 54 Stat. 1023, sec. 5 (e) 55 Stat. 244; 46 U. S. C. 170, 1275)

4. Part 146 is amended by adding a new § 146.24-16 to immediately follow § 146.24-15, reading as follows:

§ 146.24-16 *Anhydrous ammonia in bulk.* (a) Anhydrous ammonia may be transported in bulk on board Class "AA" "BB" or "EC" cargo barges and cargo vessels when loaded in unfired pressure vessel type tanks independent of the structure of the vessel.

(b) New or existing barges and cargo vessels proposed to be used for the trans-

¹American Society for Testing Materials Method of Test for Vapor Pressure of Petroleum Products (D-323-43).

²These limits shall be determined at atmospheric temperature and pressure. The method of sampling and the test procedure shall be acceptable to the Interstate Commerce Commission (Bureau of Explosives). The inflammability range is defined as the difference between the minimum and maximum percentage by volume of the material in mixture with air that forms an inflammable mixture.

portation of anhydrous ammonia in bulk shall be constructed or altered in accordance with the applicable regulations in this chapter.

(c) The cargo tanks shall meet the requirements for class II arc-welded unfired pressure vessels and shall be fabricated, inspected, and tested in accordance with the applicable requirements of parts 50 to 57, inclusive, of this chapter (Subchapter F—Marine Engineering).

(d) (1) Unlagged cargo tanks subject to atmospheric temperatures shall be designed for a pressure of not less than 250 pounds per square inch gauge.

(2) Where cargo tanks are lagged as required by paragraph (1) (1) of this section, the tanks shall be designed for a pressure of not less than 225 pounds per square inch gauge.

(3) Refrigerated cargo tanks, in which the temperature of the liquid ammonia is maintained below the normal atmospheric temperatures, shall be designed for a pressure of not less than the vapor pressure corresponding to the temperature of the liquid at which the system is to be maintained, but in no case shall the design pressure be less than 90 pounds per square inch gauge.

(e) Each tank shall be provided with not less than a 12" x 16" or a 15" diameter manhole fitted with a cover located above the maximum liquid level and as close to the top of the tank as possible.

(f) (1) Independent tanks shall be arranged in the barge or vessel so as to provide a minimum clearance of not less than 24 inches from the vessel's side and not less than 15 inches from the vessel's bottom. Where more than one tank is installed in a vessel, the distance between such tanks shall be not less than 15 inches. Alternate provisions may be made for moving such tanks to provide adequate inspection and maintenance of the vessel's structure and the tanks.

(2) The design shall show the manner in which the tanks are to be installed, supported, and secured in the barge or vessel and shall be approved prior to installation. Tanks shall be supported in steel saddles and securely anchored in place. If the tanks are required to be stress-relieved no appendages shall be welded to the tanks after they have been stress-relieved.

(3) Tanks may be located in dry cargo holds or in liquid cargo tanks and may be installed "on deck" or "under deck" with the tank protruding above deck. On installation where a portion of the tank extends above the weather deck, provision shall be made to maintain the weather tightness of the deck except that vessels operating on protected inland waters may have tanks located in the holds of hopper type barges without the watertightness of the deck being maintained. All tanks shall be installed with the manhole opening located above the weather deck.

(4) Sides of cargo barges shall be provided with suitable guards as an added protection against the cargo tanks becoming damaged as a result of collision.

(5) The anhydrous ammonia tanks may be installed in the bulk liquid cargo tanks provided the liquid surrounding the anhydrous ammonia tanks complies

with the following chemical and physical properties:

(i) Boiling point above 125° F. at atmospheric pressure.

(ii) Inert to ammonia at 100° F. at atmospheric pressure.

(iii) Noncorrosive in the liquid and vapor phase to the ammonia tanks and piping.

(g) (1) Upon satisfactory completion of tests and inspection, the following marking, at least $\frac{3}{8}$ inch high, shall be stamped into the metal of the tank or stamped into a noncorrodible name plate permanently attached to the tank by means of welding.

| | |
|---|--------------------|
| ----- | |
| Name and address of fabricator | |
| ----- | ----- |
| P. S. I. | P. S. I. |
| Design pressure | Shop test pressure |
| ----- | |
| Inspector's number, initials, and CG symbol | |
| ----- | |
| Manufacturer's serial number | |
| ----- | ----- |
| Date of manufacture | U. S. gallons |
| | Water capacity |

(2) In addition to the markings required to be stamped on the tank, the legend, "Anhydrous Ammonia Only" shall be stenciled or painted in black letters approximately 4 inches high upon the dome or upper portion of the tank.

(3) All tank inlet and outlet connections, except safety relief valves, liquid level gauging devices, and pressure gauges shall be labeled to designate whether they communicate with the vapor or liquid space. Labels of noncorrosive material may be attached to valves.

(4) All tank markings shall be permanently and legibly stamped in a readily visible position. If the tanks are lagged, the markings attached to the tank proper shall be duplicated on the outside jacket of the lagging.

(h) (1) All valves, flanges, fittings, and accessory equipment shall be of a type suitable for use with anhydrous ammonia; and shall be made of forged steel, cast steel, or Grade A malleable iron conforming to the requirements of subpart 51.61 of Part 51 of this chapter (Subchapter F—Marine Engineering). Valves shall be fitted with noncorrosive material suitable for ammonia service. Valves, flanges, and pipe fittings shall be of the square or round ammonia tongue and groove type or raised-face American Standard Association 300-pound standard, fitted with suitable soft gasket material. Welded fittings shall be used wherever possible, and the number of pipe joints shall be held to a minimum. Nonferrous materials, such as copper, copper alloys, and aluminum alloys, and ferrous materials, such as cast iron and Grade B cupola malleable iron shall not be used in the construction of valves, fittings, or accessory equipment.

(2) Piping shall be of seamless drawn steel designed for the maximum pressure to which the system may be subjected but in no case shall pipe of thickness less than American Standards Association Schedule 40 be employed. In case of piping on the discharge side of the liquid pumps or vapor compressors, the design shall be for a pressure of not less than the pump or compressor relief valve setting, or provided the piping is not fitted with relief valves, the design pressure shall not

be less than the total discharge head of the pump or compressor.

(3) Each tank shall be provided with the necessary fill and discharge liquid and vapor shut-off valves, safety valves, liquid level gauging devices, thermometer well, and pressure gauges which shall be grouped in the smallest practicable space and shall be suitably protected against mechanical damage. Other openings in tanks, except as specifically permitted in the regulations in this section are prohibited.

(4) All liquid and vapor connections to tanks, except safety relief valves and liquid level gauging devices and pressure gauges described in subparagraphs (7) and (8) of this paragraph, shall be equipped with automatic excess flow valves, or in lieu thereof, may be fitted with quick closing internal stop valves. The control mechanism for such valves shall be provided with a secondary control which will cause the internal stop valves to close automatically in case the liquid or vapor line is broken. The excess flow or internal stop valve shall be located on the inside of the tank or outside where the piping enters the tank; in the latter case, installation shall be made in such a manner that any undue strain will not cause breakage between the tank and the excess flow or internal stop valve.

(5) Liquid level gauging devices shall be of the following types: magnetic, rotary tube, slip tube, fixed tube, automatic float, or such other suitable type as may be approved by the Commandant.

(6) All liquid level gauging devices shall be designed to indicate the maximum level to which the tank may be filled with liquid at temperatures between 20° F and 130° F.

(7) Gauging devices that require bleeding of the product to the atmosphere, such as rotary tube, fixed tube, and slip tube, shall be so designed that the bleed valve maximum opening is not larger than a No. 54 drill size, unless provided with an excess flow valve.

(8) Pressure gauge connections need not be equipped with excess flow valves if the openings are not larger than a No. 54 drill size.

(9) Where possible, provision shall be made for expansion and contraction of piping by means of seamless steel pipe expansion bends. Special consideration will be given for packless type expansion joints. Slip type expansion joints are prohibited.

(10) Piping shall be provided with adequate support to take the weight of the piping off the valves and fittings.

(i) (1) Each tank shall be fitted with two or more approved safety relief valves of either the internal or external spring-loaded type suitable for ammonia service.

(2) Each safety relief valve shall be set to discharge at a pressure not in excess of the design pressure of the tank. The combined relieving capacities of the safety relief valves shall be such as to prevent a rise of pressure in the tank of more than 10 percent above the maximum allowable pressure.

(3) The minimum required rates of discharge of the safety relief valves for each tank expressed in terms of cubic

feet per minute of free anhydrous ammonia at 60° F. and atmospheric pressure shall be determined by converting the actual free discharge area for anhydrous ammonia, as calculated by Fetterly's formula¹ to discharge capacities using the orifice flow formula² and employing the physical properties of the gas (molecular weight, ratio of specific heats and absolute temperature) at a maximum relieving pressure of 5 percent in excess of the set pressure of the safety relief valve.

(4) Prior to the approval of safety relief valves by the Commandant, manufacturers shall have tests conducted or submit satisfactory evidence that such tests have been conducted and approved by the Underwriters Laboratories, Inc., or by a properly supervised and inspected testing laboratory acceptable to the Commandant relative to determining the actual relieving capacity at various pressures of three representative samples for each size of each design or type of safety relief valve submitted for approval. The actual relieving capacity shall be determined by flow tests at a rated pressure of 5 percent in excess of the set pressure of the valve. A table of relieving capacities for each size of valve for which approval is requested shall be submitted, indicating actual capacities in cubic feet per minute of anhydrous ammonia gas and equivalent

rates of discharge for free air corrected to 60° F. and atmospheric pressure.

(5) Safety relief valves shall be attached to the tank near the highest point of the vapor space. Shut-off valves shall not be installed between the tanks and the safety relief valves, except manifolds for mounting multiple safety relief valves may be fitted with acceptable interlocking 3-way valves so arranged at all times as to permit at any position of the 3-way valve an unrestricted flow of vapors through at least one port. When two safety relief valves are mounted in parallel on both the upper outlets of the 3-way valve, the arrangement shall be such as to permit at least one safety relief valve to be operative at all times.

(6) (i) Each safety relief valve installed on a cargo tank shall be connected to a branch vent of a venting system which shall be constructed so that the discharge of gas will be directed vertically upward to a point at least 10 feet above the weather deck or above the top of any tank or house located above the weather deck. The capacity of branch vents or vent headers shall depend upon the number of cargo tanks connected to such branch or header and upon their total safety relief valve orifice discharge areas as provided for in the following table:

| Number of cargo tanks: | Percent of total discharge area |
|------------------------|---------------------------------|
| 1 or 2..... | 100 |
| 3..... | 80 |
| 4..... | 80 |
| 5..... | 70 |
| 6 or more..... | 60 |

(ii) In addition to the requirement specified in subdivision (i) of this subparagraph, the size of the branch vents or vent holders shall be such that the back pressure in the relief valve discharge lines, shall not be more than 10 percent of the safety relief valve setting.

(iii) Return bends and restrictive pipe fittings are not permitted. Vents and headers shall be so installed as to prevent stresses on safety relief valve mountings.

(iv) The vent discharge riser shall be so located as to provide protection against mechanical injury and such discharge pipes shall be fitted with loose raincaps.

(v) No valve of any type shall be fitted in the vent pipe between the safety relief valve and the vent outlets. Suitable provision shall be made for draining the discharge pipe.

(7) Each safety relief valve shall be marked with data as follows:

(i) Name of manufacturer.

(ii) Size of valve.

(iii) Pressure rating of valve and set pressure.

(iv) Actual rate of discharge in cubic feet per minute of the gas at 60° F. and atmospheric pressure.

(8) Each safety relief valve shall be tested in the presence of an inspector before being placed in service. The tests shall satisfactorily indicate that the safety relief valve will start to discharge at a pressure not in excess of the design pressure of the tank.

(j) The filling density, or the percent ratio of the liquefied gas that may be loaded in the tank to the weight of the water the tank will hold at 60° F., shall

not exceed 50 percent for unlagged tanks and 57 percent for lagged or refrigerated tanks.

(k) (1) The cargo tanks shall be loaded or unloaded by the pressure differential method. Alternate methods of filling or discharging the lading may be submitted for approval.

(2) Where cargo barges or vessels are provided with compressors for maintaining the pressure differential between the shore storage tanks and cargo tanks, the following procedure for unloading and loading the tanks shall be followed:

(i) In loading cargo tanks, the compressor shall be connected to the vapor suction line on the cargo tank and discharge to the vapor line on the shore storage tank. The connection between the liquid line on the shore storage tank and the unloading line on the barge may be made by wire braided armored rubber hose or other type of suitable hose. The hose shall be designed for a bursting pressure of five times the safety relief valve setting and be hydrostatically tested to twice the setting of the safety relief valve.

(ii) During loading operations, the pressure differential between the high and low side of the compressor shall be not more than 50 p. s. i. gauge.

(iii) When the pressure differential has dropped to between 5 and 10 p. s. i. indicating that all of the liquid has been removed from the shore tanks, the compressor suction and discharge shall be reversed in order to remove the remaining gas from the shore tanks.

(iv) An oil separator, relief valve, and pressure gauge shall be installed on each side of the compressor.

(v) For unloading the cargo tanks, the connections shall be reversed and the compressor shall take suction on the shore tanks and discharge through the vapor lines to the cargo tanks.

(3) A diagrammatic sketch of filling and discharge systems shall be submitted for approval.

(l) (1) Lagged tanks shall be covered with a nonflammable insulation material of a thickness to provide a thermal conductance of not more than 0.075 B. t. u. per square foot per degree Fahrenheit differential in temperature per hour. The entire insulation shall be covered with a sheet metal jacket of not less than 0.083" thickness and efficiently flashed around all openings so as to be weathertight.

(2) Where unlagged tanks are installed in insulated holds or 'tween-deck spaces such tanks shall be considered lagged provided the thermal conductance of the insulation is not less than that required by subparagraph (1) of this paragraph.

(m) (1) Where refrigerated systems are installed to maintain the temperature of the liquid below atmospheric, at least two complete refrigeration plants automatically started and stopped by pressure variations within the tanks shall be provided, each to be complete with the necessary auxiliaries for proper operation. The capacity of each refrigeration compressor shall be sufficient to maintain the vapor pressure in the tanks during peak atmospheric temperature

¹Fetterly's formula:

$$A = \frac{[(DU \times 3.1416) + 2E] \times C \times t_1 - t_2}{L \times P \times 50} \sqrt{\frac{W_2}{W_1}}$$

Where:

A = free discharge area of the safety relief valve, in square inches.

D = outside diameter of tank, in feet.

U = overall length of tank, in feet.

E = area of end of tank, in square feet.

$C = \frac{t_1 - t_2}{62.5 + 20t}$, B. t. u. transmitted to contents of the tank per square foot of tank surface per hour per degree Fahrenheit temperature difference between 1,200° F. and the temperature of the contents.

t_1 = flame temperature at outside of the tank, in degrees Fahrenheit (1,200° F.-1,000° F.).

t_2 = temperature of the liquid contents in the tank corresponding to pressure P in degrees Fahrenheit.

t = thickness of tank, in inches.

P = relieving pressure of the safety relief valve, 105 percent of the set pressure of the safety relief valve plus 14.7, in pounds per square inch absolute.

L = latent heat of vaporization of the liquid portion of the gas at pressure P in B. t. u. per pound.

W_2 = density of steam at pressure P in pounds per cubic foot.

W_1 = density of the gas at pressure P in pounds per cubic foot.

Fetterly's formula may be modified for tank sizes above a DU value of 160 by proportionately reducing the flame temperature t_1 , from 1,200° F. to 1,000° F. until a DU value of 500 is reached, above which the flame temperature shall remain constant at 1,000° F.

²The expression for orifice flow corresponds to the maximum adiabatic flow of an ideal gas through a frictionless orifice (coefficient of discharge of unity) when the back-pressure on the discharge side is less than the critical pressure. Allowance should be made for deviations from the ideal gas laws at the relieving pressure P

conditions below the pressure for which the tanks are designed.

(2) An alternate arrangement may consist of three compressors, any two of which shall be capable of maintaining the vapor pressure in the tanks during peak atmospheric temperature conditions below the pressure for which the tanks are designed, the third compressor acting as a stand-by unit.

(3) Refrigerated tanks shall be covered with a suitable insulant to prevent sweating of the tank surfaces.

(n) (1) Cargo tanks shall be examined and retested at least every four years in the presence of an inspector. The examination shall consist of a thorough internal and external examination, except as noted in subparagraph (4) of this paragraph. The hydrostatic test shall be equal to twice the design pressure of the tank.

(2) The safety relief valves shall be dismantled, overhauled, and reset at the time of the four-year inspection. Said valves may be dismantled, overhauled, and reset at such other times as is the desire of the carrier provided such work is done with the cognizance of and under such conditions as are agreed upon with the Officer in Charge, Marine Inspection.

(3) Upon satisfactory completion of the test at the time of the four-year inspection, the inspector shall stamp upon the tank the date and other identification necessary to indicate authority for continued use of the cargo tanks and safety relief valves. When a carrier finds it necessary to replace a safety relief valve, he shall report the change in writing to the Officer in Charge, Marine Inspection, in the district where the change took place or at the first port of call. The replacement shall be the same size, capacity, and material as the replaced valve and shall be set to relieve at no more than the design pressure of the tank.

(4) In addition to the test prescribed in subparagraph (1) of this paragraph, each lagged tank shall be subject to an external inspection at least once every eight years by having the jacket and lagging removed. If the jacket, and lagging are not removed during the four-year test, the tank shall hold the prescribed hydrostatic pressure for at least 20 minutes without any pressure drop.

(o) Each cargo tank shall be electrically grounded to the hull. The cargo barge or vessel shall be electrically connected to the shore piping prior to connecting the cargo hose.

(p) Repairs involving the use of welding or burning equipment shall not be undertaken on the anhydrous ammonia tanks or liquid or vapor piping while the lading in either liquid or vapor form is present in the tanks.

(q) During the time anhydrous ammonia is laden in the tanks the barge or vessel shall be under constant surveillance. A towing vessel engaged in transporting such barges shall not leave the barge unattended except when the barge is moored at a pier, wharf, dock, or other terminal and then only if such facility is provided with watchman or guard service. When the barge is at the consignor's or consignee's terminal, watch-

man or guard service shall be provided by said consignor or consignee.

(r) The ICC's standard "Dangerous" placard shall be displayed in four locations on the barge when anhydrous ammonia is laden in the tanks. A placard shall be posted approximately amidships on each side and facing outboard. A placard shall be posted at each end of the barge at about the ends of the tanks facing outboard. Racks for mounting such placards shall be so arranged as to provide clear visibility and be protected from becoming readily damaged or obscured. After unloading and before a tank or tanks are gas-freed, the placard shall be reversed to show the "Dangerous-Empty" legend.

Subchapter Q—Specifications

PART 160—LIFESAVING EQUIPMENT

1. Part 160 is amended by adding a new subpart 160.007 reading as follows:

SUBPART 160.007—BUOYANT CUSHIONS, KAPOK, STANDARD, FOR MOTORBOATS OF CLASSES A, 1, OR 2 NOT CARRYING PASSENGERS FOR HIRE

Sec.

- 160.007-1 Applicable specifications and plan.
- 160.007-2 Type and size.
- 160.007-3 Materials.
- 160.007-4 Construction, workmanship, and performance requirements.
- 160.007-5 Inspections and tests.
- 160.007-6 Marking.
- 160.007-7 Procedure for approval.

AUTHORITY: §§ 160.007-1 to 160.007-7, inclusive, issued under R. S. 4405 and 54 Stat. 163-167, as amended; 46 U. S. C. 375, 526-526t; and sec. 101, Reorg. Plan No. 3 of 1946; 11 F. R. 7875.

§ 160.007-1 *Applicable specifications and plan*—(a) *Specifications*. The following specifications, of the issue in effect on the date standard kapok buoyant cushions are manufactured, form a part of this subpart:

- (1) Navy Department specifications:
 - 21T4—Twine, cotton, mattress, polished for use in tufting machines.
 - 27D1—Drill, cotton, fire and water resistant.
- (2) Federal specifications:
 - V-T-276—Thread, cotton.
 - V-T-291—Thread, linen.
 - KK-L-291—Leather, upholstery.
 - KK-L-311—Leather and leather products; general specifications (methods of sampling, inspection and tests).
 - CCC-D-651—Drill, unbleached.
 - CCC-T-191—Textiles; general specifications, test methods.
 - DDD-S-751—Stitches; seams; and stitching.
- (3) Coast Guard specification:
 - 164.003—Kapok, processed.

(b) *Plan*. The following plan, of the issue in effect on the date standard kapok buoyant cushions are manufactured, forms a part of this specification:

Dwg. No. 160.007—Buoyant cushion; cutting pattern and construction.¹

¹ A copy of this drawing has been filed with this document in the Division of the Federal Register, The National Archives, Washington, D. C. Copies are also on file with the various Coast Guard District Commanders for reference purposes.

§ 160.007-2 *Type and size*—(a) *Type*. Standard kapok buoyant cushions shall be of but one type as herein specified.

(b) *Size*. Buoyant cushions specified by this subpart shall have finished dimensions approximately 15" x 15" x 2" (For cushions of greater size see subpart 160.008.)

§ 160.007-3 *Materials*—(a) *Kapok*. The kapok shall comply with subpart 164.003 of this subchapter and shall be properly processed.

(b) *Cover*. The buoyant cushion cover shall be of the materials described in subparagraphs (1) (2), and (3) below, and may be of any color:

(1) *Cloth fabrics*. Cotton drill without sizing, thread count approximately 74 x 60, having a minimum breaking strength of 100 pounds in the warp and 80 pounds in the fill when tested in accordance with Federal Specification CCC-T-191, and may be treated with a clear, uncolored fire-resistive substance of an approved type. Cotton drills conforming to Navy Department Specification 27D1 or those meeting the requirements for Class A drill contained in Federal Specification CCC-D-651 are acceptable, and other fabrics having not less weight and breaking strength are also acceptable.

(2) *Artificial leather*. Artificial leather, consisting of coated 59-inch, 1.85 drill, thread count approximately 68 x 40; the artificial leather, including both the fabric backing and the coating to be at least the weight of 14 ounces for a finished width of 54 inches. Artificial leather, consisting of other coated fabrics, having a finished weight not less than the above and a minimum breaking strength of 110 pounds in the warp and 60 pounds in the fill when tested in accordance with Federal Specification CCC-T-191, is also acceptable.

(3) *Leather*. Leather shall be of Grade A leather as covered by Federal Specification KK-L-291, and shall have a breaking strength of not less than 100 pounds when tested in accordance with Method 242.1 of Federal Specification KK-L-311.

(c) *Straps*. The grab straps shall be of materials permitted for the cover.

(d) *Thread*. The thread shall be Type IB, No. 20, 4-ply cotton thread conforming to Federal Specification V-T-276; Type IIIB, No. 10, 4-ply cotton thread conforming to Federal Specification V-T-276; or No. 25, 3-cord linen thread conforming to Federal Specification V-T-291. Alternate threads will be given special consideration.

(e) *Tufts*. Tufting buttons or stops where used shall be of corrosion-resistant materials or materials treated to resist corrosion. Tufting twine shall be in compliance with Navy Department Specification 21T4.

(f) *Compartment dividers*. Compartment dividers where used shall be of materials permitted for the cover.

(g) *Beading*. The beading where used may be of any beading material suitable for the purpose.

(h) *Flaps for attaching other cushions*. When flaps, equipped with snap fasteners for the purpose of attaching other cushions, are inserted between the seams of

the cover, the flaps shall be of the materials permitted for the cover, and snap fasteners shall be of corrosion-resistant material. When cushions are equipped in this manner, each cushion shall comply in all other respects with the requirements of this subpart.

§ 160.007-4 *Construction, workmanship, and performance requirements—*
(a) *General.* This specification covers standard kapok buoyant cushions of a square box-like type, which are intended to provide buoyancy to aid a person to keep afloat in the water and which have two grab straps, one each located on opposite sides.

(b) *Cover.* The cover shall be of one piece each for the top, bottom, and the boxing or border, all cut to the pattern shown on Dwg. No. 160.007, and joined together by stitching and seams illustrated on the drawing and described in paragraph (e) of this section.

(c) *Buoyant material.* Each cushion shall be filled with not less than 20 ounces of kapok uniformly distributed.

(d) *Straps.* The grab straps shall be constructed as indicated by Section A-A on Dwg. No. 160.007, approximately 1 inch in width, and shall be sewn to the cover as shown on the drawing. Straps shall be of such length that both are tight when grasped in one hand.

(e) *Stitching.* Stitching with No. 20/4 cotton thread shall be a lock stitch conforming to stitch Type 301 of Federal Specification DDD-S-751, and there shall be not less than 7 nor more than 9 stitches to the inch. Stitching with No. 10/4 cotton thread or No. 25/3 linen thread shall be of the same type stitch with not less than 5 stitches to the inch.

(f) *Tufting and compartmentation.* The cushions specified by this subpart are not required to be tufted or compartmented, but where done, the cushion shall at no point be compressed to less thickness than the width of the boxing.

(g) *Beading.* The cushions specified by this subpart are not required to have beading inserted between the seams, but where done, it shall be done in such manner as not to detract from the strength of the seams.

(h) *Flaps for attaching other cushions.* The cushions specified by this subpart are not required to have flaps equipped with snap fasteners inserted between the seams of the cover for attaching other cushions, but where done, it shall be done in such manner as not to detract from the strength of the seams.

(i) *Workmanship.* The cushions specified by this subpart shall be of first class workmanship and shall be free from any defects materially affecting their appearance or serviceability.

(j) *Buoyancy.* Buoyant cushions shall possess not less than 20 pounds buoyancy as determined by the test described in § 160.007-5 (b).

§ 160.007-5 *Inspection and tests—*
(a) *General.* Buoyant cushions specified by this subpart are not inspected at regularly scheduled factory inspections; however, the Commander of the Coast Guard District may detail an inspector at any time to visit any place where buoyant cushions are manufactured to check materials and construction methods and to conduct such tests and examinations as

may be required to satisfy himself that buoyant cushions are being manufactured in compliance with the requirements of this specification. The manufacturer shall provide a suitable place and the necessary apparatus for the use of the inspector in conducting tests at the place of manufacture.

(b) *Buoyancy; test method.* The buoyant cushion shall be placed in a wire basket sufficiently weighted to submerge the cushion, and the basket shall be submerged for a period of 48 hours in a tank of fresh water so that the top of the basket is approximately 2 inches below the surface. The buoyancy of the cushion shall be determined to equal the weight of the weighted basket in water empty less the weight of the basket in water with the buoyant cushion inside. Cushions having watertight or semi-watertight covers shall be opened at or near the top and bottom of the boxing for not less than 6 inches along each of the four edges of the cushion before making the buoyancy test.

§ 160.007-6 *Marking.* (a) Each buoyant cushion shall be marked with a rectangular tag attached to the boxing or border of the cushion by stitching along all edges of the tag. The following information shall be plainly marked in waterproof ink on each tag: "Approved buoyant cushion for use on Motorboats of Classes A, 1, or 2 not carrying passengers for hire, Act of Congress April 25, 1940, U. S. Coast Guard Approval No. _____," and name and address of manufacturer.

§ 160.007-7 *Procedure for approval—*
(a) *General.* Buoyant cushions are approved only by the Commandant, U. S. Coast Guard, Washington 25, D. C. Correspondence relating to the subject matter of this specification shall be addressed to the Commander of the Coast Guard District in which the factory is located. Manufacturers who desire to manufacture standard kapok buoyant cushions shall complete the affidavit in form as provided in paragraph (b) of this section and submit such affidavit, together with a sample buoyant cushion for which approval is desired, for assignment of an official approval number.

(b) *Manufacturer's affidavit.*

AFFIDAVIT OF MANUFACTURER OF STANDARD TYPE BUOYANT CUSHION FOR USE ON VESSELS SUBJECT TO THE ACT OF APRIL 25, 1940 (54 STAT. 163-167; 46 U. S. C. 526-526c), AND REGULATIONS THEREUNDER

State of _____, County of _____
On this _____ day of _____, 19____, I, the undersigned, _____, hereby
(Name)

certify that I am the _____ of the
(Title)

_____ located at _____,
(Name of Company) (Address)
that I am authorized to make this affidavit; and that the standard kapok buoyant cushions of our manufacture to be furnished directly or through agents or dealers for use on motorboats subject to the Act of April 25, 1940, will comply with the applicable provisions of the regulations prescribed by the Commandant, United States Coast Guard.

(Signature) _____
Subscribed and _____ to be-
(Sworn or affirmed)
fore me this _____ day of _____, 19____.
[SEAL] (Signature) _____
(Notary Public)

2. Part 160 is amended by adding a new subpart 160.008 reading as follows:

SUBPART 160.008—BUOYANT CUSHIONS, NON-STANDARD, FOR MOTORBOATS OF CLASSES A, 1, OR 2 NOT CARRYING PASSENGERS FOR HIRE

Sec.
160.008-1 Applicable specifications.
160.008-2 Types.
160.008-3 Materials.
160.008-4 Construction, workmanship, and performance requirements.
160.008-5 Inspections and tests.
160.008-6 Marking.
160.008-7 Procedure for approval.

AUTHORITY: §§ 160.002-1 to 160.002-7, inclusive, issued under R. S. 4405 and 54 Stat. 163-167, as amended; 46 U. S. C. 375, 526-526c; and sec. 101, Reorg. Plan No. 3 of 1946; 11 P. R. 7875.

§ 160.008-1 *Applicable specifications.*
(a) The following specifications, of the issue in effect on the date non-standard buoyant cushions are manufactured, form a part of this subpart:

(1) Coast Guard specification:
160.007—Buoyant cushions, kapok, standard.
(2) Navy Department specification:
23G7—Glass, fibrous (for life preservers).

§ 160.008-2 *Types—* (a) *General.* Buoyant cushions specified by this subpart shall be of the types designated below which differ from the standard kapok buoyant cushion specified by subpart 160.007 of this part, but alternate arrangements which will meet the performance requirements of this specification will be given special consideration:

Type I—Single cushion.

Type II—Double cushion (two cushions joined together in a permanent manner forming a hinged seat and back effect).

§ 160.008-3 *Materials.* (a) All materials shall be those specified by subpart 160.007 of this subchapter for standard kapok buoyant cushions with the exception that fibrous glass complying with Navy Department Specification 23G7 may be used as buoyant material in lieu of kapok when the amount of fibrous glass used is in accordance with § 160.008-4 (c). Other alternate materials will be given special consideration.

§ 160.008-4 *Construction, workmanship, and performance requirements—*
(a) *General.* Construction, workmanship, and performance requirements for non-standard buoyant cushions shall be in accordance with those specified in subpart 160.007 of this part for standard kapok buoyant cushions, with the exceptions set forth in paragraphs (b) (c), (d) and (e) of this section.

(b) *Size.* Non-standard buoyant cushions may be of any size greater than 225 square inches top surface area and shall have a minimum 2-inch boxing or border. Type II (double) cushions will be considered as one cushion. Variations of one inch plus or minus the length and/or width of approved cushions are permitted: *Provided*, That no cushion shall have dimensions less than the minimums set forth above and that the amount of buoyant material is varied proportionally. Additional variations in dimensions may be made to approved square or rectangular shaped cushions to produce irregular shaped cushions for special purposes

provided the amount of buoyant material is varied proportionally. The approval number of the square or rectangular cushion which is varied is used, but in all variations the dimensions of the largest square or rectangular surface obtainable from the cushion shall be within the dimension limits of the approved square or rectangular cushion.

(c) *Amount of buoyant material.* Kapok shall be used in the ratio of 1 ounce for each $11\frac{1}{4}$ square inches of top surface area for a 2-inch cushion thickness. Where thickness is greater than 2 inches, kapok shall be increased $\frac{1}{2}$ ounce per each $11\frac{1}{4}$ square inches of top surface area for each additional inch of thickness. Fibrous glass shall be used in the ratio of 1.8 ounces of fibrous glass to 1 ounce of kapok required for a cushion by the above.

(d) *Straps.* Grab straps shall not be required to be of such length that both are tight when grasped in one hand, but no strap shall have a finished length of less than 20 inches.

(e) *Cover.* The number of pieces for the cover shall be a minimum consistent with the size of the cushion and the kind of material used.

§ 160.008-5 *Inspections and tests.* (a) Inspections and tests for non-standard buoyant cushions shall be in accordance with those specified in subpart 160.007 of this part for standard kapok buoyant cushions.

§ 160.008-6 *Marking.* (a) Marking for non-standard buoyant cushions shall be as specified in subpart 160.007 of this part for standard kapok buoyant cushions.

§ 160.008-7 *Procedure for approval—*

(a) *General.* Non-standard buoyant cushions are approved only by the Commandant, U. S. Coast Guard, Washington 25, D. C. Correspondence relating to the subject matter of this specification shall be addressed to the Commander of the Coast Guard District in which the factory is located. Each non-standard buoyant cushion approved will receive a separate approval number. Manufacturers who desire approval of non-standard buoyant cushions shall submit descriptive drawings in quadruplicate for each design of cushion for which approval is desired, showing principal dimensions, amount and kind of buoyant material, details of construction, and a bill of materials for each size, together with representative samples in duplicate of each design.

3. Part 160 is amended by adding a new subpart 160.009 reading as follows:

SUBPART 160.009—BUOYS, LIFE, RING, CORK OR Balsa WOOD, FOR MERCHANT VESSELS AND MOTORBOATS

Sec.
160.009-1 Applicable specifications and plan.
160.009-2 Types and sizes.
160.009-3 Materials.
160.009-4 Construction, workmanship, and performance requirements.
160.009-5 Inspections and tests.
160.009-6 Marking.
160.009-7 Procedure for approval.

AUTHORITY: §§ 160.009-1 to 160.009-7, inclusive, issued under R. S. 4405, 4417a, 4426,

4482, 4488, 4491, sec. 11, 35 Stat. 428, 49 Stat. 1544, 54 Stat. 163-167, 346, and sec. 5 (e), 55 Stat. 244, as amended; 46 U. S. C. 367, 375, 391a, 396, 404, 475, 481, 489, 526-526t, 1333, 50 U. S. C. 1275; and sec. 101, Reorg. Plan No. 3 of 1946, 11 F. R. 7875.

§ 160.009-1 *Applicable specifications and plan—*(a) *Specifications.* The following specifications, of the issue in effect on the date ring life buoys are manufactured, form a part of this subpart:

- (1) Navy Department specification:
52G11—Glue, resin (urea formaldehyde),
(2) Federal specifications:
C-G-496—Glue; urea-resin-type (liquid and powder).
V-T-276—Thread, cotton.
V-T-291—Thread, linen.
T-R-601—Rope, manila.
CCC-D-761—Ducks; cotton, plied filling yarns and single yarns (flat-duck).
DDD-S-751—Stitches; seams; and stitching.
(3) Coast Guard specifications:
164.001—Cork, sheet.
164.002—Balsa wood.

(b) *Plan.* The following plan, of the issue in effect on the date ring life buoys are manufactured, forms a part of this specification:

Dwg. No. 160.009—Cork and balsa wood ring life buoy; arrangement and construction details¹

§ 160.009-2 *Types and sizes—*(a) *Types.* Ring life buoys covered by this specification shall be of two types as follows, but alternate arrangements meeting the performance requirements of this specification will be given special consideration:

Type I—Cork.
Type II—Balsa wood.

(b) *Sizes.* Ring life buoys shall be of the sizes set forth in the following table with the dimensions indicated:

TABLE 160.009-2 (b)—DIMENSIONS FOR LIFE BUOYS

| Size | Outside diameter A (inches) | Inside diameter B (inches) | Cross section | |
|--------------|-----------------------------|----------------------------|--------------------------|---------------------------|
| | | | Long diameter C (inches) | Short diameter D (inches) |
| 30-inch..... | 30 | 17 | $6\frac{1}{2}$ | 3 |
| 24-inch..... | 24 | 13 | $5\frac{1}{2}$ | 3 |
| 20-inch..... | 20 | 11 | $4\frac{1}{2}$ | $3\frac{1}{4}$ |

§ 160.009-3 *Materials—*(a) *Buoyant material.* Cork buoyant material for Type I ring life buoys shall comply with Coast Guard Specification 164.001 (subpart 164.001 of part 164 of this subchapter) Balsa wood buoyant material for Type II ring life buoys shall comply with Coast Guard Specification 164.002 (subpart 164.002 of part 164 of this subchapter)

(b) *Cover.* The cover shall be unbleached cotton duck of a weight not less than 9.68 ounces per square yard, complying with Federal Specification CCC-D-761 for Type I, Class A, or Type

¹ A copy of this drawing has been filed with this document in the Division of the Federal Register, the National Archives, Washington, D. C. Copies are also on file with the various Coast Guard District Commanders for reference purposes.

II, Class A gray goods; except that the inspector may accept other fabrics having not less weight and strength.

(c) *Grab line.* The grab line shall be $\frac{3}{8}$ " three-strand (twelve yarns) manila, complying with Federal Specification T-R-601. The substitution of $\frac{3}{8}$ " sisal will be accepted.

(d) *Beckets.* The beackets shall be of materials permitted for the cover.

(e) *Thread.* The thread shall be No. 16, three-cord linen thread, complying with Federal Specification V-T-291, Table I, or No. 10, 6-ply, glazed finish, heavy cotton thread, complying with Federal Specification V-T-276; Table IV, Type IIIB. Alternate threads will be given special consideration.

(f) *Glue.* The adhesive shall be a waterproof resin type glue, complying with Navy Department Specification 52G11 or Federal Specification C-G-496.

(g) *Dowels.* The dowel pins or skewers shall be of white pine, birch, Douglas fir, or equivalent, approximately $\frac{3}{16}$ " in diameter, and of such length as to extend through the entire body of the buoy.

§ 160.009-4 *Construction, workmanship, and performance requirements—*

(a) *General.* This specification covers ring life buoys, each consisting of a body constructed in the shape of an annular ring with an approximately elliptical cross section as illustrated by Dwg. No. 160.009, which provide buoyancy to aid in keeping persons afloat in the water.

(b) *Body—*(1) *Layers and segments.* The body shall be constructed of two or three layers of buoyant material with not more than the total number of segments shown in the table below for the sizes indicated. Minimum thickness per layer for two-layer construction shall be $1\frac{1}{4}$ " and for three-layer construction $\frac{3}{4}$ "

TWO-LAYER CONSTRUCTION

Size and number of segments allowed

30-inch: Maximum 18 (with not more than 12 in any one layer).
24-inch and 20-inch: Maximum 12 (with not more than 7 in any one layer).

THREE-LAYER CONSTRUCTION

30-inch: Maximum 24 (with not more than 6 in either outside layer nor more than 12 in the center layer).
24-inch and 20-inch: Maximum 18 (with not more than 5 in either outside layer nor more than 8 in the center layer).

(2) *Gluing and dowsing.* The ends and edges of adjacent segments shall be fitted neatly and glued one to the other. The layers shall be neatly joined and securely glued together with butts and seams of adjacent layers being staggered. The body shall then be reinforced with not less than two dowels or skewers driven on each side of the joints on both sides of the body. The body shall then be clamped until the glue is dry.

(3) *Shaping and smooth finish.* The body shall be worked down to the shape illustrated on Dwg. No. 160.009 and sanded to a smooth finish.

(4) *Waterproof finish for Type II buoys.* The entire finish¹ body of each balsa wood ring life buoy shall be given a copious coat of waterproof glue, "Hydrotuf" "Synthetic Plasoletum" or "Balsa Wood Coating", which shall be

allowed to dry thoroughly before the cover is placed on the buoy.

NOTE: "Hydrotuf" "Synthetic Plasoileum" and "Balsa Wood Coating" are trade names for waterproof substances for covering balsa wood furnished by Winner Mfg. Co., Inc., Trenton, New Jersey; Revertex Corp. of America, 3708 Northern Blvd., Long Island City, New York; and Akron Paint & Varnish Co., Akron, Ohio; respectively.

(c) *Cover.* The cover shall be of not more than two pieces, one for either side, and shall be joined by stitching and seams as set forth in paragraph (f) of this section.

(d) *Beckets.* Four beackets of double fabric thickness with raw edges under, 2½ inches wide, shall be attached to the cover by stitching and seams as set forth in paragraph (f) of this section and shall be spaced equi-distant from each other. Beckets shall be arranged to cover the cross section seams where the cover is joined.

(e) *Grab line.* The finished length of the grab line shall be four times the outside diameter of the buoy. The ends of the grab line shall be securely and neatly spliced together. It shall be festooned in bights around the buoy and pass through the beackets. The beackets shall be sewn tightly and securely to the grab line by stitching as described in paragraph (f) of this section.

(f) *Stitching.* All machine stitching shall be a lock stitch conforming to stitch type 301 of Federal Specification DDD-S-751, and there shall be not less than five stitches to the inch. The stitching around the inside perimeter of the buoy to close the cover shall be a hand rope stitch not less than two stitches to the inch. The beackets and grab line shall be attached as follows: The ends of the beackets shall be turned back at least 1 inch, one end to go around the grab line and the other to be laid against the first end, and hand stitched together with at least six equally spaced stitches, through the ends of the beackets and at least one strand of the grab line. On the inside perimeter of the buoy, the beackets shall be fastened to the cover on both edges with a hand cross stitch. All hand stitching shall be made with double threads.

(g) *Workmanship.* Ring life buoys shall be of first class workmanship and free from any defects materially affecting their appearance or serviceability.

(h) *Buoyancy.* Test specimens shall support the net weight as set forth in the following table for the sizes indicated when subjected to the test described in § 160.009-5 (b)

| Size: | Buoyancy, lbs. |
|--------------|----------------|
| 30-inch----- | 32 |
| 24-inch----- | 16½ |
| 20-inch----- | 16½ |

(i) *Strength.* Test specimens shall not break or show rupture of the joints, nor shall there be an elongation of inside diameter of more than 1½ inches, when subjected to the test described in § 160.009-5 (c)

§ 160.009-5 Inspection and tests—

(a) *General.* A marine inspector shall examine all ring life buoys at the place of manufacture for compliance with this specification, and shall test each speci-

men-ring life buoy for strength in accordance with the method set forth in paragraph (c) of this section, with the exception that the period of suspension shall be only long enough to permit a visual examination of the body to assure that the segments and joints are secure and the buoyant material not fractured. Specimens or samples of materials entering into the construction may be taken at random, either in the raw material state or during manufacture, by the inspector and tests made for compliance with the applicable requirements. After satisfying himself that ring life buoys have been manufactured according to this specification and are of a type officially approved in the name of the manufacturer, the inspector shall mark each ring life buoy plainly in waterproof ink as follows: On the nude body of the buoy—"Passed, U. S. Coast Guard, (Inspection date), (Inspector's initials) (Port)"; on the cover of the completed buoy—"Approved, U. S. Coast Guard, (Inspection date) (Inspector's initials) (Port)". If the inspector has any doubt regarding compliance with this specification, he may select specimens at random and conduct buoyancy and strength tests in accordance with paragraphs (b) and (c) of this section and such other tests as he may consider necessary, accepting or rejecting the ring life buoys at his discretion upon the basis of such tests. The manufacturer shall provide a suitable place and the necessary apparatus for the use of the inspector in conducting tests at the place of manufacture.

(b) *Test method; buoyancy.* (1) Weigh iron or other weight under water. The weight shall be more than sufficient to submerge the ring life buoy.

(2) Attach the iron or other weight to the ring life buoy and submerge with the top of the buoy approximately 2 inches below the surface for 48 hours.

(3) Weigh the buoy with iron or other weight attached while both the iron and the buoy are under water.

(4) The buoyancy (net weight the buoy will support) is considered to be the weight of the iron or other weight under water (1), minus the weight of the iron or other weight with the buoy attached under water (3).

(c) *Test method; strength.* Suspend the specimen ring life buoy body without covering in a vertical position by passing a strap approximately 2 inches in width through the buoy. Attach a weight of 200 pounds to another strap of the same width. Hang the weight from the buoy by passing the strap through the buoy. Allow the weight to hang suspended for 30 minutes.

§ 160.009-6 *Marking.* (a) Each ring life buoy shall be plainly marked in waterproof ink on both the body and the cover with the name and address of the manufacturer and with the official approval number assigned. The 24-inch and 20-inch sizes shall also bear the words, "For use on motorboats not carrying passengers for hire."

§ 160.009-7 *Procedure for approval—*
(a) *General.* Ring life buoys for use on merchant vessels and motorboats are approved only by the Commandant, U. S.

Coast Guard, Washington 25, D. C. Correspondence relating to the subject matter of this specification shall be addressed to the Commander of the Coast Guard District in which the factory is located.

(b) *Pre-approval tests.* Manufacturers who desire to manufacture ring life buoys complying with this specification shall apply to the Commander of the Coast Guard District in which the plant is located, who will detail an inspector to the plant to observe production facilities and manufacturing methods and to select at random from not less than 6 of each size ring life buoy for which approval is desired a sample of not less than two specimen buoys of each size with which he shall conduct buoyancy and strength tests in accordance with § 160.009-5 (b) and (c) above and make such other examinations as may be necessary to satisfy himself that the specimen buoys are in accordance with this specification. Upon completion of satisfactory tests, the inspector's report shall be forwarded to the Commandant for assignment of an official approval number for each size and type.

SUBPART 160.021—SIGNALS, DISTRESS, FLARE, RED, HAND, FOR MERCHANT VESSELS

4. Section 160.021-3 (h) is amended to read as follows:

§ 160.021-3 *Materials, workmanship, construction and performance requirements.* . . .

(h) *Temperature of ignition of signal materials.* When tested as described by § 160.021-4 (j) the temperature of ignition of the signal materials shall be not less than 338° F. (170° C.) (R. S. 4417a, 4426, 4488, 49 Stat. 1544, 54 Stat. 346, and sec. 5 (e) 55 Stat. 244, as amended; 46 U. S. C. 367, 391a, 404, 481, 50 U. S. C. 1275)

5. Section 160.021-4 (j) is amended to read as follows:

§ 160.021-4 *Sampling, inspections, conditioning, and tests.* . . .

(j) *Test method; temperature of ignition of signal materials.* The test shall be conducted in a uniformly heated gas or electric oven with a chamber of at least 6 inches by 6 inches by 9 inches inside measurement. If gas heated, the oven should be of jacketed type with the products of combustion of the heating gas excluded from the inner chamber. The oven should be provided with an opening or openings at the top of at least ¾ square inch in area to give air circulation within. A suitable 630° F. 3-inch immersion thermometer or thermocouple shall be inserted through a sleeve in the top of the oven. A shelf of perforated sheet metal shall be provided at the midheight of the oven. A wire screen cup ½ inch in diameter by ¾ inch high shall be provided. The materials to be tested shall be placed to a depth of ½ inch in the wire screen cup. (Ordinarily, materials adjacent to each other in the assembled signal will be blended together for the test; materials nonadjacent ordinarily will not be blended together for the test.) The cup then shall be placed on the shelf so as to be within ½ inch to ¾ inch from the bulb of the thermometer or the junction of the ther-

mocouple. The temperature of the oven is to be raised to about 284° F. (140° C.) at a convenient rate, after which the temperature is to be raised at a rate not to exceed 2° F per minute until ignition occurs or 338° F (170° C.) has been reached. Time and temperature readings at 30 second intervals and also time at which ignition, if such occurs, are to be recorded. If ignition occurs, the approximate ignition temperature, to be reported, can be obtained by extrapolation from the time-temperature data. Alternate test methods will be given special consideration by the Coast Guard. (R. S. 4417a, 4426, 4488, 49 Stat. 1544, 54 Stat. 346, and sec. 5 (e), 55 Stat. 244, as amended; 46 U. S. C. 367, 391a, 404, 481, 50 U. S. C. 1275)

SUBPART 160.022 — SIGNALS, DISTRESS, SMOKE, ORANGE, FLOATING FOR MERCHANT VESSELS

6. Section 160.022-3 is amended by changing paragraphs (g) and (l) to read as follows:

§ 160.022-3 *Materials, workmanship, construction, and performance requirements.* * * *

(g) *Temperature of ignition of signal materials.* When tested as described by § 160.022-4 (g) the temperature of ignition of the signal materials shall be not less than 338° F (170° C.)

(l) *Color of smoke.* The color of the smoke shall be orange as determined by § 160.022-4 (k) (R. S. 4417a, 4426, 4488, 49 Stat. 1544, 54 Stat. 346, and sec. 5 (e) 55 Stat. 244, as amended; 46 U. S. C. 367, 391a, 404, 481, 50 U. S. C. 1275)

7. Section 160.022-4 (g) is amended to read as follows:

§ 160.022-4 *Sampling, inspections, conditioning, and tests.* * * *

(g) *Test method, temperature of ignition of signal materials.* The test shall be conducted in a uniformly heated gas or electric oven with a chamber of at least 6 inches by 6 inches by 9 inches inside measurement. If gas heated, the oven should be of jacketed type with the products of combustion of the heating gas excluded from the inner chamber. The oven should be provided with an opening or openings at the top of at least ¾ square inch in area to give air circulation within. A suitable 600° F 3-inch immersion thermometer or thermocouple shall be inserted through a sleeve in the top of the oven. A shelf of perforated sheet metal shall be provided at the midheight of the oven. A wire screen cup ½ inch in diameter by ¾ inch high shall be provided. The materials to be tested shall be placed to a depth of ½ inch in the wire screen cup. (Ordinarily, materials adjacent to each other in the assembled signal will be blended together for the test; materials nonadjacent ordinarily will not be blended together for the test.) The cup then shall be placed on the shelf so as to be within ½ inch to ¾ inch from the bulb of the thermometer or the junction of the thermocouple. The temperature of the oven is to be raised to about 284° F (140° C.) at a convenient rate, after which the temperature is to be raised at

a rate not to exceed 2° F per minute until ignition occurs or 338° F. (170° C.) has been reached. Time and temperature readings at 30 second intervals and also time at which ignition, if such occurs, are to be recorded. If ignition occurs, the approximate ignition temperature, to be reported, can be obtained by extrapolation from the time-temperature date. Alternate test methods will be given special consideration by the Coast Guard. (R. S. 4417a, 4426, 4488, 49 Stat. 1544, 54 Stat. 346, and sec. 5 (e) 55 Stat. 244, as amended; 46 U. S. C. 367, 391a, 404, 481, 50 U. S. C. 1275)

8. Part 160 is amended by adding a new subpart 160.024 reading as follows:

SUBPART 160.024—SIGNALS, DISTRESS, PISTOL-PROJECTED PARACHUTE RED FLARE (AND SIGNAL PISTOL) FOR MERCHANT VESSELS

Sec.

- 160.024-1 Applicable specifications and plans.
- 160.024-2 Type.
- 160.024-3 Materials, workmanship, construction and performance requirements.
- 160.024-4 Sampling, inspections, conditioning and tests.
- 160.024-5 Marking.
- 160.024-6 Container.
- 160.024-7 Procedure for approval.

AUTHORITY: §§ 160.024-1 to 160.024-7, inclusive, issued under R. S. 4405, 4417a, 4488, 4491, 49 Stat. 1544, 54 Stat. 346, and sec. 5 (e), 55 Stat. 244, as amended; 46 U. S. C. 367, 375, 391a, 481, 489, 1333, 50 U. S. C. 1275; and sec. 101, Reorganization Plan No. 3 of 1946, 11 F. R. 7875.

§ 160.024-1 *Applicable specifications and plans—(a) Specifications.* There are no other specifications applicable to this subpart.

(b) *Plans.* The following plans, of the issue in effect on the date pistol-projected parachute red flare distress signals or signal pistols are manufactured, form a part of this specification:

- (1) Drawing No. 160.024-2 (a)—Signal pistol, chamber and bore dimensions.¹
- (2) Drawing No. 160.024-6 (a)—Container for signal pistol and pistol-projected parachute red flare distress signals.¹

§ 160.024-2 *Type.* (a) Pistol-projected parachute red flare distress signals specified by this subpart shall be of one type which shall consist essentially of a cartridge having centered primer, propelling charge, and projectile consisting of a case, delay element, expelling charge, and pyrotechnic candle attached to a parachute by shroud lines; which when fired from a signal pistol provides a parachute red flare distress signal. Signal pistols specified by this subpart shall be center firing type and have chamber and bore dimensions as shown on Drawing No. 160.024-2 (a)

§ 160.024-3 *Materials, workmanship, construction and performance requirements—(a) Materials.* The materials used in signal pistols and pistol-projected parachute red flare distress signals shall

¹A copy of this drawing has been filed with this document in the Division of the Federal Register, the National Archives, Washington, D. C. Copies are also on file with the various Coast Guard District Commanders for reference purposes.

conform strictly to the specifications and drawings submitted by the manufacturer and approved by the Commandant. In general, all exposed parts shall be corrosion-resistant or properly protected against corrosion.

(b) *Workmanship.* Signal pistols and pistol-projected parachute red flare distress signals shall be of first class workmanship and shall be free from imperfections of manufacture affecting their appearance or that may affect their serviceability.

(c) *Construction.* The exterior case of the cartridge shall be made of a suitable metal and shall protect against the entrance of moisture. The projectile case and delay element shall be so constructed as to prevent any possibility of the propelling charge blowing by and causing premature ejection of the projectile contents. The signal pistol shall be center firing with dimensions of chamber and bore shown by Drawing No. 160.024-2 (a) and shall be substantially constructed of good quality material properly protected against corrosion.

(d) *Firing and operating characteristics.* Cartridges shall fire and operate satisfactorily when shot from a pistol of the type described herein. The pyrotechnic candle shall not ignite explosively or burn in such a manner that might damage the parachute. The pyrotechnic candle shall ignite and burn satisfactorily with uniform intensity.

(e) *Water resistance.* Cartridges shall function properly after having been subjected to the conditioning described in § 160.024-4 (e)

(f) *Altitude.* The signal projectile when discharged vertically upward shall attain an altitude of not less than 150 feet, and be so constructed that the parachute and pyrotechnic candle will be expelled at approximately the maximum altitude reached.

(g) *Rate of descent.* The pyrotechnic candle and parachute, during the period of burning, shall descend at an average rate not to exceed 6 feet per second in reasonably still air.

(h) *Chemical stability.* The pyrotechnic candle shall function properly after having been subjected to the elevated temperature conditioning experiment described in § 160.024-4 (e) No ignition shall occur during the conditioning experiment.

(i) *Temperature of ignition of signal materials.* When tested as described by § 160.024-4 (f) the temperature of ignition of the signal materials shall be not less than 338° F (170° C.)

(j) *Burning time.* The pyrotechnic candle shall burn in air not less than 30 seconds, as determined by § 160.024-4 (g)

(k) *Candlepower.* The average luminous intensity for any pyrotechnic candle shall be not less than 20,000 candlepower, as determined by § 160.024-4 (h) The minimum for a single specimen shall be not less than 14,000 candlepower for more than 5 seconds.

(l) *Chromaticity.* The color of the burning flare shall be vivid red as determined by § 160.024-4 (i)

§ 160.024-4 *Sampling, inspections, conditioning and tests—(a) Classification*

tion of tests of cartridges. The methods of sampling inspections, and tests conducted upon signals shall be considered as falling within one of the following general classifications:

- (1) Qualification (type or brand approval) tests;
- (2) Production check tests (at place of manufacture); or,
- (3) Production check tests (at a government laboratory).

(b) *Qualification (type or brand approval) tests of cartridges.* Pre-approval samples, selected in accordance with paragraph 160.024-7 (c) shall be tested in accordance with the following testing schedule to determine qualification for type or brand approval:

(1) Test 12 cartridges for water resistance characteristics, § 160.024-3 (e) following which test same 12 specimens for firing and operating characteristics. The magnitude of the failures shall be determined as follows (in the case of concurrent or simultaneous defects, penalties will not be applied cumulatively, but only for the greatest defect)

| | Percentage of failure |
|---|-----------------------|
| (i) Misfire (when attributable to the primer and not to the malfunction of the pistol)..... | 100 |
| (ii) Failure to eject projectile contents..... | 100 |
| (iii) Failure to ignite prime of candle..... | 100 |
| (iv) Ignites, but burns less than 25% of specified time before reaching ground..... | 75 |
| (v) Burns at least 25% but less than 50% of specified time before reaching ground..... | 50 |
| (vi) Burns at least 50% but less than 75% of specified time before reaching ground..... | 25 |
| (vii) Complete carrying away or destruction of parachute before 25% of specified burning time has elapsed..... | 75 |
| (viii) Complete failure of parachute to open..... | 50 |
| (ix) Failure of parachute to open completely, with illuminant reaching ground before 75% of burning time has elapsed..... | 25 |
| (x) Reaches 50% but less than 100% of specified altitude..... | 25 |
| (xi) Reaches less than 50% of specified altitude..... | 50 |

(2) Disassemble 6 cartridges and test the pyrotechnic candles for burning time, candle power, and chromaticity, § 160.024-3 (i), (k) and (l).

(3) Disassemble 3 cartridges and test for temperature of ignition, § 160.024-3 (i)

(4) Test 3 cartridges for chemical stability, § 160.024-3 (h) following which test them for firing and operating characteristics, § 160.024-3 (d).

(c) *Sampling, inspections, and tests of cartridges from production lots.* The production of pistol-projected parachute red flare distress signals produced under an official type or brand approval shall be checked for compliance with this specification in the manner set forth below:

(1) *Lot size and sampling procedure.* For purposes of sampling the production of pistol-projected parachute red flare distress signals, a lot shall consist of not more than 3,000 signals. A new lot shall be started with any change or modification in raw materials or manufacturing methods. Lots shall be numbered serially by the manufacturer, and the lot

number shall be plainly and indelibly marked on the cartridge case of each signal in the lot. A marine inspector shall select at random from each lot the number of specimen signals indicated in the following table for inspection, conditioning, and testing:

| Lot size: | Minimum number of specimens of sample |
|--------------------------|---------------------------------------|
| Not more than 1,000..... | 15 |
| 1,001 to 3,000..... | 24 |

(2) *Inspections (at place of manufacture)* The marine inspector shall be admitted to the place of manufacture and shall familiarize himself with the various operations involved in the manufacturing process and, from observation during manufacture, satisfy himself that pistol-projected parachute red flare distress signals are being made in general accordance with this subpart and of materials and parts conforming strictly with the specifications and drawings submitted by the manufacturer and approved by the Commandant. Specimens or samplings of materials entering into construction may be taken at random, either in the raw material state or during manufacture, by the inspector and tests made for compliance with applicable requirements. The test specimens comprising the sample, selected in accordance with subparagraph (1) of this paragraph shall be examined by the inspector for surface defects.

(3) *Production check tests (at place of manufacture).* (i) The manufacturer shall provide a suitable place and the necessary apparatus for the use of the inspector in conducting such production check tests as are done at the place of manufacture. Samples from production lots selected in accordance with subparagraph (1) of this paragraph shall, except when tested at a government laboratory as prescribed below, be tested at the place of manufacture in accordance with the following testing schedule:

1st day: Place all specimens in water-resistance conditioning, § 160.024-4 (d). *2d day:* Remove all specimens from water-resistance conditioning. Test all but three specimens for firing and operating characteristics, § 160.024-3 (d). Performance shall be rated as in § 160.024-4 (b) (1). Disassemble 3 cartridges and test pyrotechnic candle for burning time and candlepower, § 160.024-4 (g) and (h). The visual color shall be vivid red, but measurements for chromaticity will not be made.

(ii) Report of inspection and test shall be forwarded to the Commandant.

(4) *Production check tests (at a government laboratory).* Tests at a government laboratory shall be made on not less than one sample from each ten production lots of pistol-projected parachute red flare distress signals, or not less than once in each year, whichever occurs more frequently. Sampling and inspection shall be made at the place of manufacture as provided in subparagraphs (1) and (2) of this paragraph, except that for these tests the sample shall consist of 24 specimens. The sample will be forwarded prepaid by the manufacturer to the Commandant. Tests at the government laboratory shall be conducted in accordance with the schedule given in paragraph (b) of this section.

(d) *Conditioning of test specimens; water resistance.* Immerse specimen horizontally in water at not more than 30° C. with uppermost portion of the signal approximately one inch below the surface of the water for a period of 24 hours.

(e) *Conditioning; elevated temperature, humidity, and storage.* Place specimens in a thermostatically controlled even-temperature oven held at 90° C. with not less than 90 percent relative humidity for 72 hours. Remove specimens and store at room temperature (20° to 25° C.) with approximately 65 percent relative humidity for ten days.

(f) *Test method; temperature of ignition of signal materials.* The test shall be conducted in a uniformly heated gas or electric oven with a chamber of at least 6 inches by 6 inches by 9 inches inside measurement. If gas heated, the oven should be of jacketed type with the products of combustion of the heating gas excluded from the inner chamber. The oven should be provided with an opening or openings at the top of at least $\frac{3}{4}$ square inch in area to give air circulation within. A suitable 600° F. 3-inch immersion thermometer or thermocouple shall be inserted through a sleeve in the top of the oven. A shelf of perforated sheet metal shall be provided at the midheight of the oven. A wire screen cup $\frac{1}{2}$ inch in diameter by $\frac{3}{4}$ inch high shall be provided. The materials to be tested shall be placed to a depth of $\frac{1}{2}$ inch in the wire screen cup. (Ordinarily, materials adjacent to each other in the assembled signal will be blended together for the test; materials nonadjacent ordinarily will not be blended together for the test) The cup then shall be placed on the shelf so as to be within $\frac{1}{2}$ inch to $\frac{3}{4}$ inch from the bulb of the thermometer or the junction of the thermocouple. The temperature of the oven is to be raised to about 234° F. (140° C.) at a convenient rate, after which the temperature is to be raised at a rate not to exceed 2° F. per minute until ignition occurs or 338° F. (170° C.) has been reached. Time and temperature readings at 30 second intervals and also time at which ignition, if such occurs, are to be recorded. If ignition occurs, the approximate ignition temperature, to be reported, can be obtained by extrapolation from the time-temperature data. Alternate test methods will be given special consideration by the Coast Guard.

(g) *Test method; burning time.* The burning time of the pyrotechnic candle shall be obtained by stop watch measurements from the time positive flame is emitted until it ceases. The burning time for a sample (i. e. all the test specimens from a single lot) shall be the arithmetical average for all specimens in the sample.

(h) *Test method; candlepower.* The candlepower of each pyrotechnic candle tested shall be measured by a visual photometer or equivalent photometric device, while the specimen is supported in a horizontal position and the photometer is at right angles to the axis of the specimen. Visual candlepower readings shall be observed and recorded at approximately 20-second intervals

during the burning of the specimen. The minimum photometric distance shall be 10 feet. Recording photometers shall have a chart speed of at least one inch per minute. The candlepower of the specimen shall be computed as the arithmetical average of the readings recorded. The range for a specimen shall be the difference between the greatest and least candlepower reading. The candlepower for the sample (i. e. all test specimens from a single lot) shall be the arithmetical average of the candlepower values computed for each of the specimens making up the sample. The range for the sample shall be the difference between the computed greatest candlepower of a specimen and the computed least candlepower of another specimen in the sample. Signals failing to ignite shall be disregarded in computing the range of a sample.

(i) *Test method; chromaticity.* In order to determine that light from the specimen may be termed "vivid red" (ISCC-NBS method of designating colors, RP1239), two identical test plates of white cardboard 12" x 24" are used. Except for a negligible amount of stray daylight, the first test plate is illuminated by light from the specimen placed at a distance of about 5 feet. The second test plate is illuminated only by light from an incandescent lamp operated at a color temperature close to 2448° K at a distance of about one foot. The first test plate is viewed directly, the second through combinations of Lovibond red, yellow and blue glasses selected so as to approximate a chromaticity match. By separating the test plates by a wide unilluminated area (subtending at the observer about 45°) it is possible to make determinations of chromaticity in terms of the standard I. C. I. diagram (Mixture Diagram According to the 1931 International Commission on Illumination Standard Observer and Coordinate System) with an uncertainty in x or y not greater than 0.005, in spite of fluctuations in candlepower of the specimen by factors as high as 2 or 3. The light from burning red flare distress signals shall show values in terms of the I. C. I. Standard Observer and Coordinate System of not less than 0.61 for the x-coordinate and not more than 0.34 for the y-coordinate for any of the determinations made during the positive flame emitting period.

(j) *Lot acceptance or rejection.* When the marine inspector has satisfied himself that the pistol-projected parachute red flare distress signals in the lot are of a type officially approved in the name of the manufacturer and meet the requirements set forth in this subpart, each of the smallest packing cartons or boxes (usually containing one dozen signals) in which the cartridges are sealed prior to shipment, shall be plainly marked with the words: "Inspected and Passed, (Date) (Port), Inspector's Initials." A lot shall be rejected: (1) when, of that portion of the lot tested for firing and operating characteristics, the failures, as computed by the table shown in paragraph (b) (1) of this section, exceeds 15%, or, (2) when, of the signals tested for the other required characteristics, there is any failure to meet the requirements herein. Signals

from rejected lots may, when permitted by the inspector, be reworked by the manufacturer to correct the deficiency for which they were rejected and be resubmitted for official inspection. Signals from rejected lots may not, unless subsequently accepted, be sold or offered for sale under representation as being in compliance with this specification or as being approved for use on merchant vessels.

(k) *Tests of pistols.* Prior to approval, the specimen signal pistols submitted in accordance with § 160.024-7 (d) shall be proof-tested in the presence of an inspector by firing a charge double the normal charge and examined by the inspector for surface defects. After approval, each pistol manufactured shall be tested and inspected in the same manner, and, at the successful completion of this proof test and inspection, the pistol shall be stamped with the letters "P T." Report of test and inspection shall be forwarded to the Commandant showing serial numbers of guns passed and rejected.

§ 160.024-5 *Marking*—(a) *Cartridge.* Each pistol-projected parachute red flare distress signal shall be legibly marked as follows:

(Company brand or style designation)
Pistol-Projected Parachute Red Flare
Distress Signal
20,000 candlepower—30 seconds burning time
Use Only When Air Craft or Vessel is Sighted
Directions—Fire upward from signal pistol
(Month and year manufactured)
(Lot No. -----)
Manufactured by (Name and address of
manufacturer)
U. S. Coast Guard Approval No. -----
for merchant vessels

(b) *Pistol.* Each signal pistol shall be permanently and legibly marked with its serial number, Coast Guard approval number, and the name and address of the manufacturer.

(c) *Other marking.* On each pistol-projected parachute red flare distress signal there shall be die-stamped, in figures not less than 1/8" high, on each integral part of the cartridge, the month and year of manufacture. The pyrotechnic candle shall be legibly marked with the month and year of manufacture. In addition to any other marking placed on the smallest packing carton or box containing cartridges, each carton or box shall be plainly and permanently marked to show the month and year of manufacture and lot number.

§ 160.024-6 *Container*—(a) *General.* Containers for stowage of pistols and pistol-projected parachute red flare distress signals in lifeboats and life rafts on merchant vessels are not required to have specific approval or to be of special design, but they shall meet the following test for watertightness when closed, and shall be capable of being opened and re-closed hand-tight to meet the same watertightness test. The materials shall be copper, brass, bronze, or other material equally corrosion-resistant to salt water and spray. The type container illustrated by Drawing Number 160.024-6, (a) is recommended for most purposes.

(b) *Watertightness test for containers.* Whenever question arises as to the

watertightness of a container, the following test may be made to determine whether it is satisfactory in this respect. Open the container, remove the contents, insert colored blotting paper as a lining, re-close container as tightly as possible by hand (no wrenches or special tools permitted), submerge container with top about one foot below the surface of the water for two hours, remove container from water, wipe off excess moisture on outside, then open the container and examine the blotting paper and entire interior for evidence of moisture penetration. If any moisture or water is evidenced, the container is not satisfactory.

(c) *Marking of container.* Containers shall be embossed or bear a brass or equivalent corrosion-resistant nameplate, or otherwise be suitably and permanently marked, to plainly show in letters not less than 1/4" high the following wording: "SIGNAL PISTOL AND PISTOL-PROJECTED PARACHUTE RED FLARE DISTRESS SIGNALS." No additional marking which might cause confusion as to the contents shall be permitted.

NOTE: The vessel's name is required to be painted or branded on equipment such as this container by other regulations, and nothing in this subpart shall be construed as prohibiting same.

§ 160.024-7 *Procedure for approval*—(a) *General.* Signal pistols and pistol-projected parachute red flare distress signals for merchant vessels are approved only by the Commandant, U. S. Coast Guard, Washington, D. C. Correspondence pertaining to the subject matter of this specification shall be addressed to the Commander of the Coast Guard District in which the factory is located.

(b) *Manufacturer's plans and specifications.* In order to obtain approval of signal pistol or pistol-projected parachute red flare distress signal, submit detailed plans and specifications including a complete bill of material, assembly drawing, and parts drawings descriptive of the arrangement and construction of the device, to the Commander of the Coast Guard District in which the factory is located. Each drawing shall have an identifying drawing number, date, and an identification of the device; and the general arrangement or assembly drawing shall include a list of all drawings applicable, together with drawing numbers and alteration numbers. The alterations shall be noted with the date of alteration or new drawing numbers and dates shall be assigned. At the time of selection of the pre-approval sample, the manufacturer shall furnish to the inspector four copies of all plans and specifications, corrected as may be required, for forwarding to the Commandant.

(c) *Pre-approval sample of signals.* After the first drawings and specifications have been examined and found to appear satisfactory a marine inspector will be detailed to the factory to observe the production facilities and manufacturing methods and to select at random, from not less than 50 signals already manufactured, a sample of not less than 24 specimens which will be forwarded prepaid by the manufacturer to the Commandant for the necessary conditioning

and tests in accordance with § 160.024-4 (b) to determine compliance with this subpart for qualification for type or brand approval for use on merchant vessels.

(d) *Pre-approval sample of pistol.* After the first drawings and specifications have been examined and found to appear satisfactory, a marine inspector will be detailed to the factory to observe the production facilities and manufacturing methods; each of three pistols shall be fired twice in the presence of the marine inspector; once with a test charge double the normal charge and once with a cartridge conforming to the requirements of this subpart; one of the pistols so tested, together with a report of the serial numbers of the pistols tested, shall be forwarded to the Commandant.

9. Part 160 is amended by adding a new subpart 160.036 reading as follows:

SUBPART 160.036—SIGNALS, DISTRESS, HAND-HELD ROCKET-PROPELLED PARACHUTE RED FLARE FOR MERCHANT VESSELS

Sec.

- 160.036-1 Applicable specifications.
- 160.036-2 Type.
- 160.036-3 Materials, workmanship, construction, and performance requirements.
- 160.036-4 Sampling, inspections, conditioning, and tests.
- 160.036-5 Marking.
- 160.036-6 Container.
- 160.036-7 Procedure for approval.

AUTHORITY: §§ 160.036-1 to 160.036-7, inclusive, issued under R. S. 4405, 4417a, 4488, 4491, 49 Stat. 1544, 54 Stat. 346, and sec. 5 (e), 55 Stat. 244, as amended; 46 U. S. C. 367, 375, 391a, 481, 489, 1333, 50 U. S. C. 1275; and sec. 101, Reorganization Plan No. 3 of 1946, 11 F. R. 7875.

§ 160.036-1 *Applicable specifications.* (a) There are no other specifications applicable to this subpart.

§ 160.036-2 *Type.* (a) Hand-held rocket-propelled parachute red flare distress signals specified by this subpart shall be of one type which shall consist essentially of a completely self-contained device which can be fired from the hand to provide a rocket-propelled parachute red flare distress signal.

§ 160.036-3 *Materials, workmanship, construction and performance requirements—(a) Materials.* The materials used in hand-held rocket-propelled parachute red flare distress signals shall conform strictly to the specifications and drawings submitted by the manufacturer and approved by the Commandant. In general, all exposed parts shall be corrosion-resistant or properly protected against corrosion.

(b) *Workmanship.* Hand-held rocket-propelled parachute red flare distress signals shall be of first class workmanship and shall be free from imperfections of manufacture affecting their appearance or that may affect their serviceability.

(c) *Construction.* The exterior case of the cartridge shall be made of a suitable metal and shall protect against the entrance of moisture. The construction shall be such that the parachute and pyrotechnic candle will be expelled at approximately the maximum altitude reached.

(d) *Firing and operating characteristics.* Cartridges shall fire and operate satisfactorily without danger to the user or persons close by when the manufacturer's directions are followed. The pyrotechnic candle shall not ignite explosively, or burn in such a manner that might damage the parachute. It shall burn satisfactorily with uniform intensity when subjected to either of the testing schedules prescribed in § 160.036-4 (b) or (c).

(e) *Water resistance.* Cartridges shall function properly after having been subjected to the conditioning described in § 160.036-4 (d).

(f) *Altitude.* The signal projectile when discharged vertically upwards shall attain an altitude of not less than 500 feet.

(g) *Rate of descent.* The pyrotechnic candle and parachute shall, during the period of burning, descend at an average rate not to exceed 15 feet per second in reasonably still air.

(h) *Chemical stability.* The pyrotechnic candle shall function properly after having been subjected to the elevated temperature conditioning experiment described in § 160.036-4 (e). No ignition shall occur during the conditioning experiment.

(i) *Temperature of ignition of signal materials.* When tested as described by § 160.036-4 (f) the temperature of ignition of the signal materials shall be not less than 338° F. (170° C.)

(j) *Burning time.* The pyrotechnic candle shall burn in air not less than 30 seconds.

(k) *Candlepower.* The average luminous intensity for any pyrotechnic candle shall be not less than 20,000 candlepower as determined by § 160.036-4 (h). The minimum for a single specimen shall be not less than 14,000 candlepower for more than 5 seconds.

(l) *Chromaticity.* The color of the burning flare shall be vivid red as determined by § 160.036-4 (i).

§ 160.036-4 *Sampling, inspections, conditioning and tests—(a) Classification of tests.* The methods of sampling, inspections and tests conducted upon signals shall be considered as falling within one of the following general classifications:

- (1) Qualification (type or brand approval) tests;
- (2) Production check tests (at place of manufacture); or,
- (3) Production check tests (at a government laboratory).

(b) *Qualification (type or brand approval) tests.* Pre-approval samples, selected in accordance with § 160.036-7 (c) shall be tested in accordance with the following testing schedule to determine qualification for type or brand approval:

(1) Test 12 cartridges for water resistance characteristics, § 160.036-3 (e) following which test same 12 specimens for firing and operating characteristics, § 160.036-3 (d). The magnitude of the failures shall be determined as follows (in the case of concurrent or simultaneous defects, penalties will not be applied cumulatively, but only for the greatest defect)

| | Percentage of failure |
|--|-----------------------|
| (i) Mixture | 100 |
| (ii) Failure to eject projectile contents | 100 |
| (iii) Failure to ignite prime of candle | 100 |
| (iv) Ignites, but burns less than 25% of specified time before reaching ground | 75 |
| (v) Burns at least 25% but less than 50% of specified time before reaching ground | 50 |
| (vi) Burns at least 50% but less than 75% of specified time before reaching ground | 25 |
| (vii) Complete carrying away or destruction of parachute before 25% of specified burning time has elapsed | 75 |
| (viii) Complete failure of parachute to open | 50 |
| (ix) Failure of parachute to open completely, with illuminant reaching ground before 75% of burning time has elapsed | 25 |
| (x) Reaches 50% but less than 100% of specified altitude | 25 |
| (xi) Reaches less than 50% of specified altitude | 50 |

(2) Disassemble 6 cartridges and test the pyrotechnic candles for burning time, candlepower, and chromaticity, § 160.036-3 (j), (k) and (l).

(3) Disassemble 3 cartridges and test for temperature of ignition, § 160.036-3 (i).

(4) Test 3 cartridges for chemical stability, § 160.036-3 (h) following which test them for firing and operating characteristics, § 160.036-3 (d).

(c) *Sampling, inspections, and tests from production lots.* The production of hand-held rocket-propelled parachute red flare distress signals produced under an official type or brand approval shall be checked for compliance with this specification in the manner set forth below:

(1) *Lot size and sampling procedure.* For purposes of sampling the production of hand-held rocket-propelled parachute red flare distress signals, a lot shall consist of not more than 3,000 signals. A new lot shall be started with any change or modification in raw materials or manufacturing methods. Lots shall be numbered serially by the manufacturer, and the lot number shall be plainly and indelibly marked on the cartridge case of each signal in the lot. A marine inspector shall select at random from each lot the number of specimen signals indicated in the following table for inspection, conditioning, and testing:

| Lot size: | Minimum number of specimens of sample |
|---------------------|---------------------------------------|
| Not more than 1,000 | 15 |
| 1,001 to 3,000 | 24 |

(2) *Inspections (at place of manufacture).* The marine inspector shall be admitted to the place of manufacture and shall familiarize himself with the various operations involved in the manufacturing process and, from observation during manufacture, satisfy himself that hand-held rocket-propelled parachute red flare distress signals are being made in general accordance with this subpart and of materials and parts conforming strictly with the specifications and drawings submitted by the manufacturer and approved by the Commandant. Specimens or samplings of materials entering into construction may be taken at random, either in the raw material state or during manufacture, by the inspector and tests made for compliance with ap-

plicable requirements. The test specimens comprising the sample, selected in accordance with subparagraph (1) of this paragraph shall be examined by the inspector for surface defects.

(3) *Production check tests (at place of manufacture)* (i) The manufacturer shall provide a suitable place and the necessary apparatus for the use of the inspector in conducting such production check tests as are done at the place of manufacture. Samples from production lots selected in accordance with subparagraph (1) of this paragraph shall, except when tested at a government laboratory as prescribed below, be tested at the place of manufacture in accordance with the following testing schedule:

1st day: Place all specimens in water-resistance conditioning, § 160.036-3 (e). *2nd day:* Remove all specimens from water-resistance conditioning. Test all but three specimens for firing and operating characteristics, § 160.036-3 (d). Performance shall be rated as in § 160.036-4 (b) (1). Disassemble 3 cartridges and test pyrotechnic candle for burning time and candlepower, § 160.036-3 (j) and (k). The visual color shall be vivid red, but measurements for chromaticity will not be made.

(ii) Report of inspection and test shall be forwarded to the Commandant.

(4) *Production check tests (at a government laboratory)* Tests at a government laboratory shall be made on not less than one sample from each ten production lots of hand-held, rocket-propelled parachute red flare distress signals, or not less than one in each year, whichever occurs more frequently. Sampling and inspection shall be made at the place of manufacture as provided in subparagraphs (1) and (2) of this paragraph, except that for these tests the sample shall consist of 24 specimens. The sample will be forwarded prepaid by the manufacturer to the Commandant. Tests at the government laboratory shall be conducted in accordance with the schedule given in paragraph (b) of this section.

(d) *Conditioning of test specimens; water resistance.* Immerse specimen horizontally in water at not more than 30° C. with uppermost portion of the signal approximately one inch below the surface of the water for a period of 24 hours.

(e) *Conditioning; elevated temperature, humidity, and storage.* Place a specimen in a thermostatically controlled even-temperature oven held at 90° C. with not less than 90% relative humidity for 72 hours. Remove specimens and store at room temperature (20° to 25° C.) with approximately 65% relative humidity for ten days.

(f) *Test method, temperature of ignition of signal materials.* The test shall be conducted in a uniformly heated gas or electric oven with a chamber of at least 6 inches by 6 inches by 9 inches inside measurement. If gas heated, the oven should be of jacketed type with the products of combustion of the heating gas excluded from the inner chamber. The oven should be provided with an opening or openings at the top of at least $\frac{3}{4}$ square inch in area to give air circulation within. A suitable 600° F. 3-inch immersion thermometer or thermocouple

shall be inserted through a sleeve in the top of the oven. A shelf of perforated sheet metal shall be provided at the mid-height of the oven. A wire screen cup $\frac{1}{2}$ inch in diameter by $\frac{3}{4}$ inch high shall be provided. The materials to be tested shall be placed to a depth of $\frac{1}{2}$ inch in the wire screen cup. (Ordinarily, materials adjacent to each other in the assembled signal will be blended together for the test; materials nonadjacent ordinarily will not be blended together for the test) The cup then shall be placed on the shelf so as to be within $\frac{1}{2}$ inch to $\frac{3}{4}$ inch from the bulb of the thermometer or the junction of the thermocouple. The temperature of the oven is to be raised to about 284° F (140° C.) at a convenient rate, after which the temperature is to be raised at a rate not to exceed 2° F. per minute until ignition occurs or 338° F (170° C.) has been reached. Time and temperature readings at 30 second intervals and also time at which ignition, if such occurs, are to be recorded. If ignition occurs, the approximate ignition temperature, to be reported, can be obtained by extrapolation from the time-temperature data. Alternate test methods will be given special consideration by the Coast Guard.

(g) *Test method; burning time.* The burning time of the pyrotechnic candle shall be obtained by stop watch measurements from the time positive flame is emitted until it ceases. The burning time for a sample (i. e. all the test specimens from a single lot) shall be the arithmetical average for all specimens in the sample.

(h) *Test method; candlepower* The candlepower of each pyrotechnic candle tested shall be measured by a visual photometer or equivalent photometric device, while the specimen is supported in a horizontal position and the photometer is at right angles to the axis of the specimen. Visual candlepower readings shall be observed and recorded at approximately 20-second intervals during the burning of the specimen. The minimum photometric distance shall be 10 feet. Recording photometers shall have a chart speed of at least one inch per minute. The candlepower of the specimen shall be computed as the arithmetical average of the readings recorded. The range for a specimen shall be the difference between the greatest and least candlepower reading. The candlepower for the sample (i. e. all test specimens from a single lot) shall be the arithmetical average of the candlepower values computed for each of the specimens making up the sample. The range for the sample shall be the difference between the computed greatest candlepower of a specimen and the computed least candlepower of another specimen in the sample. Signals failing to ignite shall be disregarded in computing the range of a sample.

(i) *Test method; chromaticity.* In order to determine that light from the specimen may be termed "vivid red" (ISCC-NBS method of designating colors, RP1239) two identical test plates of white cardboard about 12" x 24" are used. Except for a negligible amount of stray daylight, the first test plate is illuminated by light from the specimen placed at a distance of about 5 feet. The

second test plate is illuminated only by light from an incandescent lamp operated at a color temperature close to 2848° K at a distance of about one foot. The first test plate is viewed directly, the second through combinations of Lovibond red, yellow and blue glasses selected so as to approximate a chromaticity match. By separating the test plates by a wide unilluminated area (subtending at the observer about 45°) it is possible to make determinations of chromaticity in terms of the standard I. C. I. diagram (Mixture Diagram According to the 1931 International Commission on Illumination Standard Observer and Coordinate System) with an uncertainty in x or y not greater than 0.005, in spite of fluctuations in candlepower of the specimen by factors as high as 2 or 3. The light from burning red flare distress signals shall show valves in terms of the ICI Standard Observer and Coordinate System of not less than 0.61 for the x-coordinate and not more than 0.34 for the y-coordinate for any of the determinations made during the positive flame emitting period.

(j) *Lot acceptance or rejection.* When the marine inspector has satisfied himself that the hand-held rocket-propelled parachute red flare distress signals in the lot are of a type officially approved in the name of the manufacturer and meet the requirements set forth in this subpart, each of the smallest packing cartons or boxes (usually containing one dozen signals) in which the cartridges are sealed prior to shipment, shall be plainly marked with the words: "Inspected and Passed, (Date) (Port) Inspector's Initials." A lot shall be rejected: (1) when, of that portion of the lot tested for firing and operating characteristics, the failures, as computed by the table shown in paragraph (b) (1) of this section, exceeds 15%, or, (2) when, of the signals tested for the other required characteristics, there is any failure to meet the requirements herein. Signals from rejected lots may, when permitted by the inspector, be reworked by the manufacturer to correct the deficiency for which they were rejected and be resubmitted for official inspection. Signals from rejected lots may not, unless subsequently accepted, be sold or offered for sale under representation as being in compliance with this specification or as being approved for use on merchant vessels.

§ 160.036-5 *Marking—(a) General.* Each hand-held rocket-propelled parachute red flare distress signal shall be legibly marked or labeled as follows:

(Company brand or style designation)

Hand-Held Rocket-Propelled Parachute Red
Flare Distress Signal

20,000 candlepower—30 seconds burning time

Use Only When Air Craft or Vessel's Sighted

Directions—(in numbered paragraphs, simply worded instructions for firing the device)

(Month and year manufactured)

(Lot No. -----)

Manufactured by (Name and address of manufacturer)

U. S. Coast Guard Approval No. ----- for merchant vessels

§ 160.036-6 *Container*—(a) *General*. Containers for stowage of hand-held, rocket-propelled parachute red flare distress signals in lifeboats and life rafts on merchant vessels are not required to have specific approval or to be of special design, but they shall meet the following test for watertightness when closed, and shall be capable of being opened and re-closed hand-tight to meet the same watertightness test. The materials shall be copper, brass, bronze, or other material equally corrosion-resistant to salt water and spray.

(b) *Watertightness test for containers*. Whenever question arises as to the watertightness of a container, the following test may be made to determine whether it is satisfactory in this respect. Open the container, remove the contents, insert colored blotting paper as a lining, re-close container as tightly as possible by hand (no wrenches or special tools permitted) submerge container with top about one foot below the surface of the water for two hours, remove container from water, wipe off excess moisture on outside, then open the container and examine the blotting paper and entire interior for evidence of moisture penetration. If any moisture or water is evidenced, the container is not satisfactory.

(c) *Marking of container*. Containers shall be embossed or bear a brass or equivalent corrosion-resistant name plate, or otherwise be suitably and permanently marked, to plainly show in letters not less than $\frac{1}{2}$ " high the following wording: "HAND-HELD ROCKET-PROPELLED PARACHUTE RED FLARE DISTRESS SIGNALS." No additional marking which might cause confusion as to the contents shall be permitted.

NOTE: The vessel's name is required to be painted or branded on equipment such as this container by other regulations, and nothing in this subpart shall be construed as prohibiting same.

§ 160.036-7 *Procedure for approval*—(a) *General*. Hand-held rocket-propelled parachute red flare distress signals for merchant vessels are approved only by the Commandant, U. S. Coast Guard, Washington, D. C. Correspondence pertaining to the subject matter of this specification shall be addressed to the Commander of the Coast Guard District in which the factory is located.

(b) *Manufacturer's plans and specifications*. In order to obtain approval of hand-held rocket-propelled parachute red flare distress signals, submit detailed plans and specifications including a complete bill of material, assembly drawing, and parts drawings descriptive of the arrangement and construction of the device, to the Commander of the Coast Guard District in which the factory is located. Each drawing shall have an identifying drawing number, date, and an identification of the device; and the general arrangement or assembly drawing shall include a list of all drawings applicable, together with drawing numbers and alteration numbers. The alterations shall be noted with the date of alteration or new drawing numbers and dates shall be assigned. At the time of selection of the pre-approval sample, the manufacturer shall furnish to the inspector four copies of all plans and speci-

fications, corrected as may be required, for forwarding to the Commandant.

(c) *Pre-approval sample*. After the first drawings and specifications have been examined and found to appear satisfactory, a marine inspector will be detailed to the factory to observe the production facilities and manufacturing methods and to select at random, from not less than 50 signals already manufactured, a sample of not less than 24 specimens which will be forwarded prepaid by the manufacturer to the Commandant for the necessary conditioning and tests in accordance with § 160.036-4 (b) to determine compliance with this subpart for qualification for type or brand approval for use on merchant vessels.

PART 164—MATERIALS

1. Part 164 is amended by adding new subparts 164.001 and 164.002 reading as follows:

SUBPART 164.001—CORK, SHEET, FOR MERCHANT VESSELS

- Sec.
164.001-1 Applicable specifications.
164.001-2 Grade.
164.001-3 Material and workmanship.
164.001-4 Inspection.
164.001-5 Procedure for approval.

SUBPART 164.002—BALSA WOOD FOR MERCHANT VESSELS

- 164.002-1 Applicable specifications.
164.002-2 Grade and densities.
164.002-3 Material.
164.002-4 Defects permitted.
164.002-5 Inspection.
164.002-6 Procedure for approval.

AUTHORITY: §§ 164.001-1 to 164.002-6, inclusive, issued under R. S. 4405, 4417a, 4423, 4482, 4483, 4491, sec. 11, 35 Stat. 428, 43 Stat. 1544, 54 Stat. 163-167, 346, and sec. 5 (c), 55 Stat. 244, as amended; 46 U. S. C. 357, 375, 391a, 396, 404, 475, 481, 489, 520-526t, 1333, 59 U. S. C. 1275; and sec. 101, Reorganization Plan No. 3 of 1946, 11 F. R. 7875.

SUBPART 164.001—CORK, SHEET, FOR MERCHANT VESSELS

§ 164.001-1 *Applicable specifications*. (a) There are no other specifications applicable to this subpart.

§ 164.001-2 *Grade*. (a) Sheet cork shall be of but one grade as specified in this subpart.

§ 164.001-3 *Material and workmanship*—(a) *Freedom from imperfections*. The cork sheets shall be good quality cleaned cork, free from excessive bark, or cracks or other imperfections that will reduce its strength. The cork shall be considered free from cracks when 95% of the pieces are free from cracks greater than half the thickness of the sheet by $\frac{3}{8}$ -inch wide.

§ 164.001-4 *Inspection*. (a) Sheet cork, to be used in a finished product subject to inspection by the Coast Guard, shall be subject to inspection at the plant of the manufacturer to determine compliance with the requirements of this specification.

(b) Acceptance of sheet cork prior to being incorporated into finished products, or during the course of manufacture, shall in no case be construed as acceptance of the finished product.

§ 164.001-5 *Procedure for approval*. (a) Sheet cork is not subject to formal approval, but will be accepted by the in-

spector on the basis of this specification for use in the manufacture of lifesaving equipment utilizing it.

SUBPART 164.002—BALSA WOOD FOR MERCHANT VESSELS

§ 164.002-1 *Applicable specifications*. (a) There are no other specifications applicable to this subpart.

§ 164.002-2 *Grade and densities*. (a) Balsa wood shall be of one grade as specified in this subpart, and of the following densities:

- (1) Density A— $8\frac{1}{2}$ to 12 pounds per cubic foot.
(2) Density B—5 to 9 pounds per cubic foot.

§ 164.002-3 *Material*—(a) *General*. Balsa wood shall be of the genus *Ochroma*. It shall be sound, square edge, kiln dried to a moisture content not exceeding 12 percent, and shall be free from rot, dote, large or unsound knots, wormholes, and other injurious defects, except those specified as admissible in § 164.002-4.

(b) *Size*. Balsa wood pieces shall be of a size suitable for use in the item of equipment utilizing it.

§ 164.002-4 *Defects permitted*. (a) One sound, tight knot, not over $1\frac{1}{2}$ inches in diameter, will be permitted in each full 4 feet of length of any piece. Pin wormholes, or their equivalent, will be permitted provided their size does not exceed $\frac{1}{32}$ inch in diameter and their number is less than 150 in each 5 square feet surface measure, with no concentration of more than 40 pin wormholes in any square foot of surface area. Inclosed pith less than 1 inch in diameter will not be considered a defect. Surface pith and pith grooves on faces and/or edges, not exceeding 1 inch in diameter and in the aggregate $\frac{1}{8}$ of the length of the piece will be permitted. Wane not exceeding $\frac{1}{8}$ inch width on the surfaces on which it appears, sound wavy grain, or bird's eyes and twig specks less than 1 inch in smallest dimension, and sound stain, will be permitted.

§ 164.002-5 *Inspection*. (a) Balsa wood, to be used in a finished product subject to inspection by the Coast Guard, shall be subject to inspection at the plant of the manufacturer to determine compliance with the applicable requirements of this specification.

(b) Acceptance of balsa wood prior to being incorporated into finished products, or during the course of manufacture, shall in no case be construed as acceptance of the finished product.

§ 164.002-6 *Procedure for approval*. (a) Balsa wood is not subject to formal approval, but will be accepted by the inspector on the basis of this specification for use in the manufacture of lifesaving equipment utilizing it.

SUBPART 164.004—KAPOK, REPROCESSED

2. Subpart 164.004—*Kapok, reprocessed*, containing §§ 164.004-1 to 164.004-5, inclusive, is rescinded.

Dated: June 22, 1948.

J. F. FARLEY,
Admiral, U. S. Coast Guard,
Commandant.

[F. R. Doc. 42-5783; Filed, June 25, 1948; 8:59 a. m.]

PROPOSED RULE MAKING

DEPARTMENT OF AGRICULTURE

Production and Marketing Administration

[7 CFR, Part 948]

[Docket No. AO-122-A6]

HANDLING OF MILK IN SIOUX CITY, IOWA, MARKETING AREA

NOTICE OF HEARING ON PROPOSED AMEND- MENT TO TENTATIVE MARKETING AGREE- MENT AND TO THE ORDER, AS AMENDED

Pursuant to the Agricultural Market-
ing Agreement Act of 1937, as amended
(7 U. S. C., 601 et seq.) and in accord-
ance with the applicable rules of prac-
tice and procedure, as amended (7 CFR,
Supps. 900.1 et seq., 12 F. R. 1159, 4904)
notice is hereby given of a public hear-
ing to be held in the Post Office Building,
at Sioux City, Iowa, beginning at 9:00
a. m., c. s. t., July 1, 1948, for the pur-
pose of receiving evidence with respect
to the proposed amendments hereinafter
set forth to the tentative marketing
agreement, as heretofore approved by
the Secretary of Agriculture, and to the
order, as amended, regulating the han-
dling of milk in the Sioux City, Iowa,
marketing area (7 CFR, 948.0 et seq., 12
F. R. 2079). These proposed amend-
ments have not received the approval of
the Secretary of Agriculture.

The proposed amendments on which
evidence will be received were submitted
by the Sioux City Milk Producers' Asso-
ciation, Soderstrom Dairy, and Roberts
Dairy Company.

*Proposed by the Sioux City Milk Pro-
ducers' Association.*

1. Delete § 948.4 (b) (1) (i) and sub-
stitute therefor the following:

(1) Disposed of in fluid form as milk,
skim milk, flavored milk drinks, and but-
termilk except that used for animal feed;
and

2. Delete § 948.4 (b) (2) and substitute
therefor the following:

(2) Class II milk shall be all skim milk
and butterfat disposed of as cream, either
sweet or sour, including all mixtures of
butterfat and skim milk containing more
than 6 percent butterfat, aerated cream
and eggnog for consumption in fluid form.

3. Delete § 948.4 (b) (3) (i) and re-
number (b) (3) (ii) (iii) and (iv) re-
spectively as (i) (ii) and (iii)

4. Delete § 948.5 (b) (1) and (2) and
substitute therefor the following:

(1) *Class I and Class II.* The prices
per hundredweight respectively for skim
milk and butterfat classified as Class I
milk and Class II milk shall be computed
as follows:

(i) Combine into one total, after the
November delivery period of each year,
the respective amounts of skim milk and
butterfat in producer milk in Class III
for all handlers exclusive of the pounds
of plant shrinkage allocated to producer

milk pursuant to § 948.4 (f) (1) for the
delivery periods of September, October,
and November.

(ii) Combine into one total the respec-
tive amounts of skim milk and butterfat
received as producer milk during the de-
livery periods of September, October, and
November and multiply the resulting
amounts by 15 percent.

(iii) If the respective amounts of skim
milk or butterfat computed pursuant to
subdivision (ii) of this subparagraph are
either or both less than the respective
amounts of skim milk and butterfat com-
puted pursuant to subdivision (i) of this
subparagraph, the following amounts
shall be added to the respective prices
for skim milk and butterfat computed
pursuant to subparagraph (2) (i) and
(ii) of this paragraph for the delivery
period:

| Delivery period | Amounts to be added—Class I milk and class II milk | |
|---------------------------|---|----------------|
| | Skim milk | Butter- fat |
| April through July..... | \$0.31 | \$20 |
| August through March..... | .44 | 28 |

Provided, That such prices effective
for any of the delivery periods of Sep-
tember through December of each year
shall not be lower than the respective
prices for skim milk and butterfat for
the immediately preceding delivery pe-
riod, and for any of the delivery periods
of March through June of each year shall
not be higher than the respective prices
for skim milk and butterfat for the im-
mediately preceding delivery period.

(iv) If the respective amounts of skim
milk or butterfat computed pursuant to
subdivision (ii) of this subparagraph are
both more than the respective amounts
of skim milk and butterfat computed
pursuant to subdivision (i) of this sub-
paragraph, the following amounts, start-
ing with the April delivery period, shall
be added to the respective prices for skim
milk and butterfat computed pursuant
to subparagraphs (2) (i) and (ii) of this
paragraph for the delivery period:

| Delivery period | Class I milk and class II milk | |
|---------------------------|-----------------------------------|----------------|
| | Skim milk | Butter- fat |
| April through July..... | \$0.25 | \$16 |
| August through March..... | .31 | 20 |

Provided, That such prices effective
for any of the delivery periods of Sep-
tember through December of each year
shall not be lower than the respective
prices for skim milk and butterfat for
the immediately preceding delivery pe-
riod, and for any of the delivery periods
of March through June of each year
shall not be higher than the respective
prices for skim milk and butterfat for

the immediately preceding delivery pe-
riod.

5. Renumber § 948.5 (b) (3) as (2)

Proposed by Soderstrom Dairy:

6. Amend § 948.5 so that:

a. The butterfat market and the con-
densery market on which the formula
is now based, will be placed on the same
period, preferably the current month.

b. Condensery plants around highly
competitive Chicago markets will be re-
placed with the condensery plants at
Rochester, Minnesota, Sioux City, Iowa,
and any others in the proximity of Sioux
City, Iowa.

c. Class I milk will be priced at 60
cents above Class III milk, and Class II
milk will be priced at 30 cents above
Class III milk.

Proposed by Roberts Dairy Company:

7. Revise § 948.4 to provide for the
following classes:

Class I—to be defined as under the
present order except to exclude milk ac-
counted for as Class III.

Class II—to be defined as under the
present order except to exclude milk ac-
counted for as Class III.

Class III—to be defined to include all
milk and cream sold outside the market-
ing area.

Class IV—to be defined to include all
milk presently classified as Class III.

8. Revise § 948.5 so as to establish the
"basic formula" on the butter-powder
formula as set forth in paragraph (a)
(2) deleting the alternative price set
forth in paragraph (a) (1)

9. Revise § 948.5 (a) (1) by deleting
from the list of condenseries named
therein "Pet Milk Company, Shullsburg,
Wisconsin" and "Libby, McNeill and
Libby Company, Morrison, Illinois" and
adding to the list: "Rochester Dairy
Company, Rochester, Minnesota" and
"Page Milk Company, Coffeyville,
Kansas."

10. Revise § 948.5 to provide prices as
follows:

Class I—same as present order.

Class II—same as present order.

Class III—25 cents over Class IV

Class IV—same as Class III in present
order.

Proposed by the Dairy Branch.

11. Make such other changes as may
be required to make the order conform
with any amendments thereto which
may result from this hearing.

Copies of this notice of hearing may be
procured from Mr. Wayne McPherran,
Market Administrator, 1137 Badgerow
Building, Sioux City 9, Iowa, or from the
Hearing Clerk, United States Depart-
ment of Agriculture, Room 1846, South
Building, Washington 25, D. C., or may
be there inspected.

Dated: June 23, 1948.

[SEAL]

JOHN L. THOMPSON,
Assistant Administrator

[F. R. Doc. 48-5765; Filed, June 25, 1948;
8:52 a. m.]

17 CFR, Part 9621

HANDLING OF FRESH PEACHES GROWN IN
GEORGIAFINDING AND DETERMINATIONS ON BASIS OF
RESULTS OF REFERENDUM WITH RESPECT
TO PROPOSED AMENDMENTS TO ORDER 62

Pursuant to the Agricultural Market-Agreement Act of 1937, as amended (7 U. S. C. 601 et seq., 61 Stat. 208, 707) and the rules of practice and procedure governing proceedings to formulate marketing agreements and marketing orders (7 CFR and Supps. 900.1 et seq., 12 F. R. 1159, 4904) a public hearing was held upon proposed amendments to Marketing Agreement No. 99 and Order No. 62 (7 CFR, Cum. Supp., Part 962) regulating the handling of fresh peaches grown in the State of Georgia. The recommended decision (13 F. R. 1379, 1456) of the Acting Assistant Administrator, Production and Marketing Administration, and the decision (13 F. R. 2229) of the Acting Secretary of Agriculture, setting forth a proposed amendatory order to Order No. 62, were published in the FEDERAL REGISTER on March 17 and 19, and April 24, 1948, respectively. The Acting Secretary of Agriculture also issued an order (13 F. R. 2231) directing that a referendum be conducted among producers of Georgia peaches to determine whether the requisite majority of such producers approve or favor the issuance of the amendatory order to Order No. 62.

It is hereby found and determined, on the basis of the results of the referendum conducted pursuant to the aforesaid referendary order, that the issuance of the amendatory order to Order No. 62, regulating the handling of fresh peaches grown in the State of Georgia, is not approved or favored (a) by at least two-thirds of the producers who participated in such referendum and who, during the determined representative period (March 1, 1947, to February 29, 1948, both dates inclusive) were engaged, within the State of Georgia, in the production for market of peaches grown in such State, or (b) by producers who participated in the aforesaid referendum and who, during the aforesaid representative period of March 1, 1947, to February 29, 1948, both dates inclusive, produced for market at least two-thirds of the volume of peaches produced for market within the State of Georgia within such period.

It is hereby further found and determined that the proposed amendatory order set forth in the aforesaid decision (13 F. R. 2229) will not be made effective.

Done at Washington, D. C., this 23d day of June 1948.

[SEAL] CHARLES F. BRANNAN,
Secretary of Agriculture.

[F. R. Doc. 48-5767; Filed, June 25, 1948;
8:53 a. m.]

17 CFR, Part 9741

HANDLING OF MILK IN COLUMBUS, OHIO,
MARKETING AREANOTICE OF RECOMMENDED DECISION AND OP-
PORTUNITY TO FILE WRITTEN EXCEPTIONS
THERE TO WITH RESPECT TO PROPOSED
AMENDMENT TO TENTATIVE MARKETING
AGREEMENT AND TO ORDER, AS AMENDED

Pursuant to the rules of practice and procedure, as amended, governing proceedings to formulate marketing agreements and orders (7 CFR, Supps., 900.1 et seq., 12 F. R. 1159, 4904) notice is hereby given of the filing with the Hearing Clerk of this recommended decision of the Assistant Administrator, Production and Marketing Administration, United States Department of Agriculture with respect to a proposed amendment to the order, as amended, and to the tentative marketing agreement, regulating the handling of milk in the Columbus, Ohio, marketing area, to be made effective pursuant to the provisions of the Agricultural Marketing Agreement Act of 1937, as amended (7 U. S. C. 601 et seq.)

Interested parties may file exceptions to this recommended decision with the Hearing Clerk, Room 1844, South Building, United States Department of Agriculture, Washington 25, D. C., not later than the close of business on the 15th day after the publication of this recommended decision in the FEDERAL REGISTER.

Preliminary statement. A public hearing, on the record of which the proposed amendment to the order, as amended, and to the tentative marketing agreement was formulated, was called by the Production and Marketing Administration, United States Department of Agriculture, following receipt of proposals filed by the Central Ohio Cooperative Milk Producers, Inc., and by handlers subject to the Columbus order. The public hearing was held at Columbus, Ohio, on March 8-10, 1948, pursuant to notice duly published in the FEDERAL REGISTER (13 F. R. 809)

The material issues presented on the record of the hearing were whether the order should be amended to provide for:

(1) The inclusion of a provision requiring the market administrator to report to each cooperative association the percentage utilization of its members' milk used in each class by each handler (H. N. proposal No. 1).

(2) The inclusion of a separate classification (Class IIIa) covering condensed skim milk, a reporting provision applicable to condensed skim milk placed in storage by each handler, and a pricing plan applicable to such Class IIIa milk (H. N. proposals No. 3, 4, 5, and 10).

(3) An increase in the "4 cent" deduction in the butter-non-fat dry milk solids formula to "5.5 cents" (H. N. proposal No. 6)

(4) A revision of basic formula price computations to permit the averaging of the formula prices provided in the current order (H. N. proposals No. 7 and 8)

(5) Minor changes of an administrative nature to clarify the language pro-

viding for classification and for the computation of the uniform price (H. N. proposals No. 11, 12, and 13)

Other issues (revision of the level and seasonal pattern of class price differentials and the need for emergency action on such revision) were the subject of a decision issued on April 22, 1948.

Findings and conclusions. Upon the basis of evidence introduced at the hearing the following findings and conclusions on the material issues which are decided herein are hereby made:

(1) The proposal that the market administrator should furnish to each cooperative association a monthly report with respect to each handler of "the percent of utilization in each class of milk of producers as qualified in accordance with § 974.9 (b)" should not be adopted at this time.

This proposal is similar to a proposed amendment offered at a prior hearing on Order No. 74, held March 10-14, 1947. It was disclosed in such hearing that the health requirements applicable to milk for Class II and Class III uses are the same as for Class I uses. The price levels established for the several classes take this fact into account. Also, the March 1947 hearing failed to reveal evidence that producer milk is being used in Class III uses in excessive quantities during the delivery periods when such milk might be used in Class I. It was concluded from the evidence in such hearing that the adoption of the proposal was not necessary to effectuate the market-wide pool provisions of the order or to establish producer prices at proper levels.

In the season of short production last year (October, November, and December), producer milk classified as Class III milk and Class IV milk was 2.4 percent and 2.5 percent, respectively, of total producer deliveries. Both percentage-wise and in quantity the producer milk falling into such classes in the short production season of 1947 was less than for the same period in 1946. It may be noted also that Class IV milk uses do not require Columbus inspected milk. Of the producer milk classified as Class IV milk the bulk was accounted for as plant shrinkage, leaving relatively minute quantities of milk which, under perfect conditions of allocation, might have found an outlet in a class requiring inspected milk. There is no indication of any substantial problem in other months of the year. It, therefore, appears that the extent of utilization of milk in the lower-priced classes, Class III and Class IV, does not warrant adoption of the proposal for the purpose of facilitating a better allocation of producer milk among handlers by transfer of producers.

(2) The proposal for the separate classification (Class IIIa) reporting and pricing of condensed skim milk placed in storage by handlers should not be adopted, but handlers should be given a credit of the difference between the prices of skim milk in Class III and Class IV milk with respect to producer milk received after March 31, 1949, and disposed of as sweetened condensed skim milk. Cur-

ing January, February, and March to nonhandlers not receiving milk from dairy farms under the inspection of Columbus health authorities.

Handlers proposed that skim milk made into condensed skim milk for storage be classified as Class IIIa milk and priced at the same level as skim milk in Class IV milk, with provision that if such condensed skim milk were utilized by a handler in a higher priced class, reclassification of the original skim milk would take place. Disposition of condensed skim milk to nonhandlers would not call for such reclassification, but certain other provisions were proposed to permit the disposition of condensed skim milk to nonhandlers only under conditions which would indicate that it was not needed by any handler. The suggested price of Class IIIa was regarded as placing disposition to nonhandlers on a reasonable competitive price basis with condensed skim milk made from skim milk not meeting Columbus health inspection, or perhaps any other formal health requirements. Handlers proposed further in this connection that they be required to report each month their storage stocks of condensed skim milk for publication in summary form by the market administrator.

On an annual basis the Columbus market has been and is short in the supply of producer milk. The market has been relatively short of butterfat in most months of the year. Handlers claim the amount of skim milk in producer milk on an annual basis has been somewhat in excess of total market requirements. In the short production season receipts of producer milk are not adequate to meet all demands for skim milk and butterfat in the market. The months of lowest production normally are October, November, and December. By the latter part of December production begins to increase and shows a steady gain through June. Other source milk meeting Columbus inspection was brought into the market during each month of 1947. Whole milk was imported during the short production season when needed for Class I uses. Skim milk brought in during the flush production season was limited primarily to the amount contained in imported cream. Butterfat and skim milk are stored in substantial quantities as frozen cream and as plain or sweetened condensed skim milk from the flush production season to the months of relatively short milk supply. The bulk of condensed skim milk so stored is in sweetened form. Such products are stored primarily for later use by handlers in the manufacture of ice cream although some is disposed of by handlers in higher priced uses. Health inspection requirements do not permit handlers to import for use as any items covered by Class III milk any cream or condensed skim milk not processed from milk meeting the inspection requirements applicable to milk for Class I and Class II uses. During 1947 approximately 5.5 million pounds of skim milk were disposed of in the form of sweetened condensed skim milk to nonhandlers.

Most of the skim milk and butterfat in producer milk in excess of current

requirements in the flush production months must be stored in anticipation of market needs in the following short production period in order that all handlers may be reasonably assured of an adequate milk supply for those uses requiring inspected milk. The importance of providing this assurance was recognized in the terms of the handlers' proposal and in their supporting testimony. It was pointed out that condensed skim milk should not leave the market until such time as it is clear that there is an excess over market needs. It was argued that their particular proposal would assist in the orderly marketing of excess skim milk.

The orderly marketing of excess skim milk is a sound objective. However, the proposal of the handlers as a means of accomplishing this purpose is objectionable in several particulars. It appears that the reporting and classification provisions and auditing procedures, under the order, would be made unnecessarily complicated if condensed skim milk derived from producer milk were included in Class IIIa and later were reclassified to Class III milk where the bulk of it ultimately is used in ice cream. Moreover, equitable treatment of all handlers under the proposal for reclassification where there is failure to make a transfer upon the basis of a request for condensed skim milk would depend upon the reasonableness of either the price offer accompanying the request or the selling handler's asking price. It would be inappropriate to attempt to achieve equity under the provision by relying on the reasonableness of the transfer price, a factor which is outside the scope of the administration of the order and is subject to determination by those being regulated.

Since the bulk of condensed skim milk actually is used by handlers in the manufacture of ice cream, its classification as Class III milk will tend to simplify accounting and auditing procedure and, from this standpoint, the action hereinafter taken has some advantage over the handlers' proposal.

As stated above, it is important that condensed skim milk made from producer milk be retained for use by handlers until such time as it may become an excess quantity following the season of short production. It is recognized, however, that as production increases seasonally from the low point a marketing problem may develop in the disposal of excess condensed skim milk on the basis of the Class III price for skim milk. By early January handlers should be in a position to judge with reasonable accuracy the quantity needed within the market until new storage stocks are developed. In order to eliminate a possible burden arising from an excess quantity of condensed skim milk made from producer milk, handlers should be permitted to receive a credit at the difference between the Class III and Class IV prices for the skim milk involved in any such condensed skim milk disposed of during the months of January, February, and March of each year to nonhandlers who do not receive milk from dairy farmers under Columbus health inspection. This

provision should facilitate the orderly marketing of any excess condensed skim milk and should eliminate any significant price burden thereon. Because of a suspension order issued May 19, 1948, relieving restriction on condensed skim milk not needed to meet market requirements prior to the 1949 storage season, this provision should be made effective only with respect to producer milk received after March 31, 1949.

Another proposal of handlers would require a reporting each month of their individual storage stocks of condensed skim milk, to be published in summary form by the market administrator. The publication of such a summary appears desirable to maximize the use by handlers of storage stocks developed from producer milk. However, it is not necessary to amend the order for this purpose since there is sufficient authority already in the order for such reports and their publication in summary form by the market administrator.

(3) The butter-nonfat dry milk solids alternative basic price formula (§ 974.5 (a) (2) (ii)) should not be changed.

The proponents of the proposal to increase the deduction in the butter-nonfat dry milk solids formula from 4 cents to 5.5 cents directed their arguments mainly to the desirability of establishing a Class IV price for skim milk on a "breakeven" basis insofar as nonfat dry milk operations are concerned, and to its application in pricing condensed skim milk sold to nonhandlers.

The testimony of the proponents pointed out increased costs of fuel and labor in a Columbus milk plant since the adoption of the present formula and to differences between the amount of the deduction set forth in Order No. 74 and those in other orders containing butter-nonfat dry milk solids formulas. Testimony was offered also concerning an Ohio plant engaged in the manufacture of nonfat dry milk for a limited period during the year, showing average costs of manufacturing in such plant of about 6 cents per pound. The record fails to disclose, however, a basis on which these cost data may be appraised in terms of a manufacturing operation where butter and nonfat dry milk solids are a substantial part of the total operation.

A Wisconsin manufacturer who operates a nonfat dry milk plant testified that his manufacturing costs on nonfat dry milk solids were approximately 4 cents per pound, excluding brokerage fees on powder sold. This operator is engaged also in the fluid milk and cream business and the quantity of skim milk manufactured into non-fat dry milk solids varies considerably from month to month throughout the year. It is reasonable to assume that the efficiency to be obtained in this plant would be somewhat less than in a similar plant operating with less variation in skim milk supply the year around. Thus, if cost items in manufacturing were the sole determinants of the subject deduction in the formula, the record indicates that the 4 cents provided in the current order would not be out of line with manufacturing cost in plants primarily engaged

in the manufacture of nonfat dry milk solids.

However, such costs may not be considered as controlling to the exclusion of other important considerations. It is noteworthy that no nonfat dry milk solids have been manufactured from producer milk by handlers in the Columbus market. In the past skim milk disposition as Class IV milk under the order has been mainly either plant shrinkage or animal feed and has been a very small percentage of producer receipts. The principal use of the butter-nonfat milk solids formula has been its application as an alternative basic price formula. If the 5.5 cent deduction had been applicable during the first 24 months of order operation (from February 1946) this formula price would have been reduced 12.75 cents and the basic formula price would have been reduced in 5 months of such period by amounts ranging from 3 to 12.75 cents per hundredweight. It seems apparent from the record that this effect would not have been desirable during such 24 month period and no effort was made to explain why a reduction in the whole class price structure by this means should be made a definite possibility for the future.

Moreover, the pricing of Class IV skim milk at no time should encourage the disposal of skim milk in this class when such skim milk can be used in the higher-priced classes or for storage to meet later needs in these classes. To protect the market from depletion of storage stocks of inspected milk needed during the fall and winter months it is necessary that the level of the Class IV price should not provide an outlet sufficiently profitable to attract milk from other uses. Any reduction in the Class IV milk price at this time would enlarge this possibility. The present Class IV milk price formula appears reasonable for the disposition of excess skim milk from producer milk as sweetened condensed during January, February, and March, as provided for in another part of this decision.

In view of all of these considerations it appears that the butter-nonfat dry milk solids price formula as contained in the order is appropriate under current conditions and should not be changed.

(4) The basic formula price should not be changed from the higher to an average of the two manufacturing formulas contained in the order.

The order provides that the average (basic or field) price paid for milk by eighteen manufacturing plants or a computed price based on butter and powder prices, whichever is higher, shall be the basic formula price. The addition of differentials to the basic formula price determines the Class I, Class II, and Class III prices. The butter-powder formula is used also in connection with the determination of the Class IV prices.

The formula price based on butter and nonfat dry milk solids is usually lower than the 18 plant average but occasionally (in 5 months during the 2 years ended January 31, 1948) the resulting price exceeds that for evaporated milk, represented by the 18 plant price. Consideration must be given to the alternative uses of manufacturing milk. Because milk may be diverted readily from

one milk product to another, the highest value for milk in any manufactured use represents the competitive price in relation to which the Columbus class prices must be fixed. This price represents the value of milk for manufacturing uses to which fixed differentials are added to make up the Class I, Class II, and Class III prices. These differentials are so set that when added to the highest value of milk for any manufacturing use the resulting price will provide incentive for the production of adequate supplies of milk meeting Columbus inspection standards. Use of the average of the two formula prices would frequently set the basic formula price below the level of prices paid for manufacturing milk in the Columbus milk shed.

A proposed amendment similar to the subject proposal was offered at a prior hearing on Order No. 74, held March 10-14, 1947. Evidence at such hearing revealed that the basic formula price as now determined had reflected very closely the prevailing price for manufacturing milk in the vicinity of the Columbus market, and it was concluded that the higher of the formula prices was more representative of competitive manufacturing prices than any combination of formula prices. No evidence was introduced at the recent hearing that there has been any substantial change in the market conditions upon which the above conclusion was based.

For the reasons stated above, the order should not be amended to provide for use of the average of the two formulas in determining the basic formula price.

(5) The proposed amendment to § 974.4 (b) "to provide for the classification of skim milk and butterfat used in the manufacture or processing of products other than milk products" is not necessary for proper classification of skim milk or butterfat utilized in products other than milk products and should not be adopted at this time.

The record indicates that questions have been raised from time to time with the office of the market administrator as to the application of the classification provisions of the order to skim milk and butterfat used in the manufacture or processing of products other than milk products. It was testified by a representative of such office that under present provisions of the order any such uses of skim milk and butterfat are being classified as Class I milk and that a review of this administrative practice at the hearing might be desirable. From an examination of the present order provisions it is concluded that clarification of the order in this connection by a change in the wording of the classification provisions is not necessary.

(6) The uniform price computation provisions should be amended by inserting the parenthetical phrase "(to the nearest dollar per hundredweight)" following the words "as computed" in § 974.6 (c) (3).

This proposal involves an accounting procedure in the computation of the uniform price. Balancing the total value of butterfat variance from 3.5 percent in the pool with producer payments when the butterfat differential adjustment applicable to individual producer payments is

computed to the nearest one-tenth of a cent, requires computation of the butterfat adjustment in the pool (§ 974.6 (c) (3)) to the nearest dollar as a practical accounting matter. The added language would serve merely to clarify the order as to this accounting problem. It would not revise current administrative practice and the total cost of milk to handlers, or total returns to producers, would not be changed. Such clarification of the order appears appropriate.

General findings. (a) The proposed marketing agreement and the order, as amended, and as hereby proposed to be further amended, and all of the terms and conditions thereof will tend to effectuate the declared policy of the act;

(b) The prices calculated to give milk produced for sale in the said marketing area a purchasing power equivalent to the purchasing power of such milk as determined pursuant to section 2 and section 8e of the act are not reasonable in view of the price of feeds, available supplies of feeds, and other economic conditions which affect market supply of and demand for such milk; and the minimum prices specified in the proposed marketing agreement and the order, as amended, and as hereby proposed to be further amended, are such prices as will reflect the aforesaid factors, insure a sufficient quantity of pure and wholesome milk, and be in the public interest; and

(c) The proposed marketing agreement and the order, as amended, and as hereby proposed to be further amended, will regulate the handling of milk in the same manner as, and will be applicable only to persons in the respective classes of industrial and commercial activity specified in, a marketing agreement upon which hearings have been held.

Rulings on proposed findings and conclusions. Briefs were filed on behalf of the Central Ohio Cooperative Milk Producers, Inc., and 20 handlers subject to Order No. 74. The briefs contained proposed findings of fact, conclusions and argument with respect to the proposals discussed at the hearing. Every point covered in the briefs was carefully considered along with the evidence in the record in making the findings and reaching the conclusions hereinbefore set forth. To the extent that such suggested findings and conclusions contained in the briefs are inconsistent with the findings and conclusions contained herein the request to make such findings or to reach such conclusions are denied on the basis of the facts found and stated in connection with the conclusions in the recommended decision.

Recommended marketing agreement and amendment to the order. The following amendments to the order, as amended, are recommended as the detailed and appropriate means by which these conclusions may be carried out. The proposed marketing agreement is not included because the regulatory provisions thereof would be the same as those contained in the order, as amended, and as proposed to be further amended.

1. Add the following proviso to § 974.6 (a)

Provided, That such handler shall be credited with the average difference for

the months of April, May, and June between the Class III and Class IV prices for skim milk, with respect to each hundredweight of excess skim milk derived from producer milk received after March 31, 1949, which is disposed of by such handler during the following January, February, or March in the form of sweetened condensed skim milk to a nonhandler whose dairy farm supply of milk is not produced under permits as specified in § 974.1 (g)

2. Insert in § 974.6 (c) (3) following the words "as computed" the following: "(to the nearest dollar per hundred-weight.)"

Filed at Washington, D. C., this 23d day of June 1948.

[SEAL] JOHN L. THOMPSON,
Assistant Administrator

[F. R. Doc. 48-5764; Filed, June 25, 1948;
8:52 a. m.]

DEPARTMENT OF COMMERCE

United States Patent Office

[37 CFR, Part 11]

RULES OF PRACTICE IN PATENT CASES

NOTICE OF PROPOSED RULES

Notice is hereby given that the United States Patent Office proposes to issue rules and regulations relating to proceedings before it in patent cases and to the registration of attorneys and agents.

The proposed rules and regulations are issued pursuant to the authority contained in the patent laws, R. S. 481, 483, 487, 4905, 35 U. S. C. 6, 11, 53, and will upon promulgation supersede and replace the rules of practice in patent cases now in force, 37 CFR, Part 1.

The proposed rules and regulations are available in printed form at the Patent Office and will be sent to all interested parties upon request to the Commissioner of Patents, Washington 25, D. C. Copies are being mailed to all attorneys and agents registered in the Patent Office and to all subscribers to the Official Gazette of the U. S. Patent Office, and it is unnecessary for these persons to write or ask for copies.

Certain of the proposed rules will directly affect the practice in trade-mark cases in view of the references to the patent rules contained in trade-mark rules, 37 CFR 100.42, 100.235, 100.264. It may also be expected that revisions of the trade-mark rules (37 CFR, Part 100) to parallel changes in the patent rules will be announced.

All persons who desire to submit written data, views, arguments, or suggestions for consideration in connection with the proposed revision of the rules and regulations are invited to forward the same to the Commissioner of Patents, Washington 25, D. C. These should be received before September 25, 1948, to insure full consideration.

In addition to submitting briefs or statements, those who desire may be

heard orally. Hearings are scheduled to commence at 10:00 o'clock a. m. on Monday, September 27, 1948, and will be continued as may be necessary. Monday, and Tuesday if necessary, will be devoted to all the rules except those parts stated below. The parts of the rules relating to interferences are scheduled for hearing on Wednesday, September 29, and the parts relating to the registration of attorneys and agents on Thursday, September 30.

Persons expecting to appear for oral presentation are requested to notify the Commissioner in advance of the hearing, stating the sections of the draft on which they wish to be heard, in order to assist in arranging the hearing.

LAWRENCE C. KINGSLAND,
Commissioner of Patents.

JUNE 18, 1948.

[F. R. Doc. 48-5775; Filed, June 25, 1948;
9:00 a. m.]

FEDERAL COMMUNICATIONS COMMISSION

[47 CFR, Part 31]

[Docket Nos. 8736, 8975]

ALLOCATION OF TELEVISION CHANNELS TO CERTAIN STATES

ORDER OF TESTIMONY-AT HEARING

In the matter of amendment of § 3.606 of the Commission's rules and regulations.

1. The hearing in the above-captioned proceeding will commence on June 29, 1948 at 10 a. m. in the U. S. Department of Commerce Auditorium, Fourteenth Street between E Street and Constitution Avenue NW., Washington, D. C. The Commission will hear testimony concerning allocations to a particular state in the alphabetical order in which that state falls among the several states. Cities and areas have been grouped on a geographical basis and have been arranged alphabetically. The first city in a particular group will determine the state for which testimony will be considered, unless it appears to the Commission that the circumstances in a particular case warrant deviation from such procedure. General testimony will be heard at the end of the hearing.

2. Where parties have appeared and have submitted statements which are not in accord with the Commission's proposed allocations to a particular group of cities, the Commission will first hear testimony concerning its own proposals from the Commission's staff. Persons opposing the proposals or suggested modifications, and persons supporting the proposals will follow in that order. Where no opposition has been filed with respect to particular allocations, no testimony will be heard from the Commission's staff and proponents of the Commission's proposals will be afforded an opportunity to present their evidence.

3. Attached hereto is an appendix setting forth the groups to be considered by

the Commission and the order in which interested parties will follow the Commission's staff in the submission of evidence. The appendix is subject to such revision as the Commission may deem advisable or which may be warranted as a result of action hereafter taken by the Commission.

4. Particular attention is directed to the fact that some of the parties have indicated that they will offer evidence on matters which do not appear to be within the scope of the issues under consideration in this proceeding. Accordingly, such evidence may be refused by the Commission on its own motion, or on motion of counsel for any of the parties herein or of counsel for the Commission.

5. Evidence will not be accepted from Lee Broadcasting, Inc., concerning its proposal that the station on Channel No. 11 at Iowa City be located north of that city and that the station on Channel No. 10 at Springfield be located east of that city. This proposal relates to station operations and not to channel allocations and, therefore, is not within the scope of the issues under consideration in this proceeding.

6. Evidence will not be accepted from Matheson Radio Company, Inc., concerning its proposals to reallocate frequencies among the various services. Such proposals may be presented in the form of a petition to the Commission to institute rule making proceedings with respect thereto. They are not within the scope of the issues in the present hearing.

7. In view of the large number of persons who have filed appearances in this proceeding, it is requested that the parties incorporate as much evidence as is possible in the exhibits submitted by them. In this connection, participants will be required to submit at the hearing at least 18 copies of each exhibit to the Commission. In addition, parties should attempt to have 50 additional copies of each exhibit available for distribution at the hearing to interested persons.

8. All motions and petitions filed by parties to this proceeding with respect to allocation proposals filed by other parties herein will not be acted upon individually. The Commission's determination regarding such motions and petitions will be reflected in the final report which it will issue in this proceeding.

9. Persons who have filed timely appearances and statements, and whose names do not appear in the appendix, should immediately communicate to Commission Counsel their desire to be heard. New appearances will not be accepted.

10. Notice is hereby given that § 1.857 of the Commission's rules and regulations is not applicable to this proceeding.

Adopted: June 23, 1948.

Released: June 23, 1948.

FEDERAL COMMUNICATIONS
COMMISSION,

[SEAL] T. J. SLOWIE,
Secretary.

APPENDIX

| State | Hearing group | Order of testimony | State | Hearing group | Order of testimony |
|----------------------|---|--|---|--|--|
| California | Bakersfield. Mount Diablo. Stockton. San Jose. San Luis Obispo. | Pearl Lemert. Mount Diablo, Inc. Christine M. Jacobson, tr/s The Valley Electric Co. Yankee Network, Inc. WPIX, Inc. The Travelers Broadcasting Service Corp. The Connecticut Broadcasting Co. American Broadcasting Co., Inc. Bamberger Broadcasting Service, Inc. The Hartford Times, Inc. National Broadcasting Co., Inc. Poughkeepsie Newspapers, Inc. Elm City Broadcasting Corp. WTOP, Inc. Hearst Radio, Inc. A. S. Abell Co. Radio-Television of Baltimore, Inc. Joshua P. Rowe. News-Journal Corporation A. Frank Katsentz and WEAT, Inc. Miami Broadcasting Co. The Fort Industry Co. Isle of Dreams Broadcasting Corp. WJNO, Inc. Sunshine Television Corp. Mike Benton d/b as General Broadcasting Co. Johnson-Kennedy Radio Corp. South Shore Broadcasting Corp. | New York | Elmira. Ithaca. Syracuse. | Cornell University. Radio Projects, Inc. WAGL, Inc. McClath Publishing Co. Elmira Star-Gazette, Inc. Canning Leader, Inc. WBEN, Inc. Jefferson Standard Broadcasting Co. Saraty Broadcasting Co. WGAR Broadcasting Co. WJW, Inc. Allen B. DuMont Laboratories, Inc. United Broadcasting Co. Cleveland Broadcasting Co. Allen T. Simmons. Summit Radio Corp. Dispatch, Inc. The Toledo Blade Co. Maumee Valley Broadcasting Co., Inc. Community Broadcasting Co. Unity Corporation, Inc. Empire Cell Company, Inc. Levittown Broadcasting Co. Radio Lebanon F. M. & Television, Inc. Hearst Radio, Inc. Harold O. Bishop. WHP, Inc. Hazelton Broadcasting Co. Meadville Broadcasting Service. Dispatch, Inc. Allegheny Broadcasting Corp. Westinghouse Radio Stations, Inc. WWSW, Inc. WCAC, Inc. The Helm Coal Co. Pittsburgh Radio Supply House, Inc. Appalachian Co. Wyoming Valley Broadcasting Co. Louis G. Baltimore. |
| Connecticut | Bridgeport. Hartford. Springfield, Mass. | | North Carolina | Charlotte. Johnson City, Tenn. | |
| District of Columbia | New Haven. Poughkeepsie, N. Y. District of Columbia. Fredericksburg, Va. | | Ohio | Akron. Canton. Cleveland. | |
| Florida | Daytona Beach. Miami. Palm Beach-Lake Worth Area. | | Tellico | | |
| Georgia | Orlando. | | Pennsylvania | Altoona. DuBois. Lebanon. Lewistown. Harrisburg. | |
| Illinois | Athens. Atlanta. Chicago. Hammond, Ind. Racine-Kenosha, Wis. | | Hazleton. Meadville. | | |
| Indiana | Bloomington. Indianapolis. | | Pittsburgh. York. | | |
| Iowa | Lafayette. South Bend. Cedar Rapids. Iowa City. Baltimore. | | Philadelphia. Scranton. Wilkes-Barre. Williamsport. Binghamton, N. Y. | | |
| Maryland | Hagerstown. | | Rhode Island | Stateville. | |
| Massachusetts | Frederick. Boston. New Bedford-Fall River. Providence, R. I. Worcester. | | South Carolina | Anderson. Greenville. Dillon. Fort Worth. | |
| Michigan | Pittsfield. | | Texas | Houston. Galveston. | |
| Missouri | Detroit. Royal Oak. Clayton. St. Louis. | | Virginia | Portsmouth. | |
| New Jersey | Kansas City. St. Joseph. Topeka, Kans. Asbury Park. Trenton. | | West Virginia | Merrill. | |
| New York | Buffalo. Erie, Pa. | | General appearance. | | |

[F. R. Doc. 48-5788; Filed, June 23, 1948; 8:59 a. m.]

NOTICES

DEPARTMENT OF THE INTERIOR

Bureau of Land Management

[1169800]

UTAH

NOTICE OF FILING OF PLAT OF PARTIAL SURVEY

JUNE 15, 1948.

Notice is given that the plat of partial survey in T. 26 S., R. 24 E., S. 1. M.,

No. 125—6

Utah, accepted June 27, 1947, including lands hereinafter described will be officially filed in the District Land Office, Salt Lake City, Utah, effective at 10:00 a. m. on August 17, 1948.

The lands affected by this notice are described as follows:

SALT LAKE MERIDIAN

T. 26 S., R. 24 E.,
Secs. 18 to 21, inclusive.
Secs. 24 to 36, inclusive.

The areas described aggregate 11,606.26 acres.

All of the lands involved are within the exterior boundaries of the La Sal National Forest pursuant to proclamation of January 25, 1906.

Anyone having a valid settlement or other right to any of these lands initiated prior to the date of the withdrawal of the land should assert the same within three months from the date on which the plat is officially filed by filing an ap-

plication under appropriate public land law, setting forth all facts relevant thereto.

All inquiries relating to these lands should be addressed to the Acting Manager, District Land Office, Salt Lake City, Utah.

MARION CLAWSON,
Director.

[F. R. Doc. 48-5720; Filed, June 25, 1948;
8:47 a. m.]

[1646266]

UTAH

NOTICE OF FILING OF PLAT OF SURVEY AND
DEPENDENT RESURVEY AND MINERAL SEGREGATIONS

JUNE 16, 1948.

Notice is given that the plat of extension survey of lands hereinafter described accepted May 17, 1945, will be officially filed in the District Land Office, Salt Lake City, Utah, effective at 10:00 a. m. on August 18, 1948. At that time the lands shall, subject to valid existing rights and the provisions of existing withdrawals, become subject to application, petition, location, or selection as follows:

(a) *Ninety-day period for preference-right filings.* For a period of 90 days from August 18, 1948, to November 16, 1948, inclusive, the public lands affected by this notice shall be subject to (1) application under the homestead or the desert land laws, or the small tract act of June 1, 1938 (52 Stat. 609, 43 U. S. C. 682a) as amended, by qualified veterans of World War II, for whose service recognition is granted by the act of September 27, 1944 (58 Stat. 747, 43 U. S. C. 279-283) subject to the requirements of applicable law, and (2) application under any applicable public-land law, based on prior existing valid settlement rights and preference rights conferred by existing laws or equitable claims subject to allowance and confirmation. Application by such veterans shall be subject to claims of the classes described in subdivision (2).

(b) *Twenty-day advance period for simultaneous preference-right filings.* For a period of 20 days from July 30, 1948, to August 18, 1948, inclusive, such veterans and persons claiming preference rights superior to those of such veterans, may present their applications, and all such applications, together with those presented at 10:00 a. m. on August 18, 1948 shall be treated as simultaneously filed.

(c) *Date for non-preference-right filings authorized by the public-land laws.* Commencing at 10:00 a. m., on November 17, 1948, any of the lands remaining unappropriated shall become subject to such application, petition, location, or selection by the public generally as may be authorized by the public-land laws.

(d) *Twenty-day advance period for simultaneous non-preference-right filings.* Applications by the general public may be presented during the 20-day period from October 29, 1948, to November 17,

1948, inclusive, and all such applications, together with those presented at 10:00 a. m. on November 17, 1948, shall be treated as simultaneously filed.

Veterans shall accompany their applications with certified copies of their certificates of discharge, or other satisfactory evidence of their military or naval service. Persons asserting preference rights, through settlement or otherwise, and those having equitable claims, shall accompany their applications by duly corroborated affidavits in support thereof, setting forth in detail all facts relevant to their claims.

Applications for these lands, which shall be filed in the District Land Office, Salt Lake City, Utah, shall be acted upon in accordance with the regulations contained in § 295.8 of Title 43 of the Code of Federal Regulations (Circular No. 324, May 22, 1914, 43 L. D. 254) and Part 296 of that title, to the extent that such regulations are applicable. Applications under the homestead laws shall be governed by the regulations contained in Parts 166 to 170, inclusive, of Title 43 of the Code of Federal Regulations and applications under the desert land laws and the small tract act of June 1, 1938, shall be governed by the regulations contained in Parts 232 and 257, respectively, of that title.

Inquiries concerning these lands shall be addressed to the Acting Manager, District Land Office, Salt Lake City, Utah.

The lands affected by this notice are described as follows:

SALT LAKE MERIDIAN

T. 27 S., R. 13 W.,
Secs. 1 to 4, inclusive;
Sec. 5, lots 1 to 14, inclusive;
Sec. 6, lots 1 to 12, inclusive;
Secs. 9 to 12, inclusive;
Secs. 14, 15, 16;
Secs. 21, 22, 23;
Secs. 26, 27, 28;
Secs. 33, 34, 35.

The area described, exclusive of mineral segregations, aggregates 9,369.85 acres.

All of the township is within the exterior boundaries of Grazing District No. 3 established April 8, 1935.

The following lands are included in Power Site Class No. 129, Utah, No. 24, of February 16, 1926, as conformed June 12, 1945.

SALT LAKE MERIDIAN

Sec. 21, lot 1, W $\frac{1}{2}$ NE $\frac{1}{4}$, SE $\frac{1}{4}$ NE $\frac{1}{4}$, NE $\frac{1}{4}$ SE $\frac{1}{4}$,
NE $\frac{1}{4}$ NW $\frac{1}{4}$.
Sec. 22, lots 7, 8, 9, 11, S $\frac{1}{2}$ SW $\frac{1}{4}$.
Sec. 23, lot 5;
Sec. 26, lots 1 to 4, inclusive;
Sec. 27, lot 1, NW $\frac{1}{4}$ NE $\frac{1}{4}$.

The character of the land varies from level desert to rough and rolling mountains, supporting a medium growth of sagebrush and native grasses on the desert and a fair growth of scrub cedar, pinon and pine in the mountainous areas.

MARION CLAWSON,
Director

[F. R. Doc. 48-5726; Filed, June 25, 1948;
8:49 a. m.]

[1649378]

NEVADA

NOTICE OF FILING OF PLATS OF SURVEY

JUNE 16, 1948.

Notice is given that the plats of survey of lands hereinafter described effective September 6, 1945, will be officially filed in the District Land Office, Carson City, Nevada, effective at 10:00 a. m. on August 18, 1948. At that time the lands shall, subject to valid existing rights and the provisions of existing withdrawals, become subject to application, petition, location, or selection as follows:

(a) *Ninety-day period for preference-right filings.* For a period of 90 days from August 18, 1948, to November 16, 1948, inclusive, the public lands affected by this notice shall be subject to (1) application under the homestead or the desert land laws, or the small tract act of June 1, 1938 (52 Stat. 609, 43 U. S. C. 682a), as amended, by qualified veterans of World War II, for whose service recognition is granted by the act of September 27, 1944 (58 Stat. 747, 43 U. S. C. 279-283) subject to the requirements of applicable law, and (2) application under any applicable public-land law, based on prior existing valid settlement rights and preference rights conferred by existing laws or equitable claims subject to allowance and confirmation. Application by such veterans shall be subject to claims of the classes described in subdivision (2).

(b) *Twenty-day advance period for simultaneous preference-right filings.* For a period of 20 days from July 30, 1948, to August 18, 1948, inclusive, such veterans and persons claiming preference rights superior to those of such veterans, may present their applications, and all such applications, together with those presented at 10:00 a. m. on August 18, 1948, shall be treated as simultaneously filed.

(c) *Date for non-preference-right filings authorized by the public-land laws.* Commencing at 10:00 a. m. on November 17, 1948, any of the lands remaining unappropriated shall become subject to such application, petition, location, or selection by the public generally as may be authorized by the public-land laws.

(d) *Twenty-day advance period for simultaneous non-preference-right filings.* Applications by the general public may be presented during the 20-day period from October 29, 1948, to November 17, 1948, inclusive, and all such applications, together with those presented at 10:00 a. m. on November 17, 1948, shall be treated as simultaneously filed.

Veterans shall accompany their applications with certified copies of their certificates of discharge, or other satisfactory evidence of their military or naval service. Persons asserting preference rights, through settlement or otherwise, and those having equitable claims, shall accompany their applications by duly corroborated affidavits in support thereof, setting forth in detail all facts relevant to their claims.

Applications for these lands, which shall be filed in the District Land Office, Carson City, Nevada, shall be acted upon in accordance with the regulations con-

tained in § 295.8 of Title 43 of the Code of Federal Regulations (Circular No. 324, May 22, 1914, 43 L. D. 254) and Part 296 of that title, to the extent that such regulations are applicable. Applications under the homestead laws shall be governed by the regulations contained in Parts 166 to 170, inclusive, of Title 43 of the Code of Federal Regulations and applications under the desert land laws and the small tract act of June 1, 1938, shall be governed by the regulations contained in Parts 232 and 257, respectively, of that title.

Inquiries concerning these lands shall be addressed to the Acting Manager, District Land Office, Carson City, Nevada.

The lands affected by this notice are described as follows:

MOUNT DIABLO MERIDIAN

T. 26 N., R. 54 E.,
Secs. 1 to 36, inclusive.
T. 27 N., R. 54 E.,
Secs. 1 to 36, inclusive.
T. 27 N., R. 55 E.,
Secs. 6 and 7;
Sec. 8, lots 1, 4, and 5 to 10, inclusive,
W $\frac{1}{2}$ NW $\frac{1}{4}$, S $\frac{1}{2}$ SW $\frac{1}{4}$,
Secs. 16 to 21, inclusive;
Sec. 22, lots 1 to 7, inclusive, W $\frac{1}{2}$ NW $\frac{1}{4}$,
SW $\frac{1}{4}$ SW $\frac{1}{4}$, S $\frac{1}{2}$ SE $\frac{1}{4}$,
Secs. 27 to 33, inclusive;
Sec. 34, lots 1 to 4, inclusive, NE $\frac{1}{4}$, W $\frac{1}{2}$
W $\frac{1}{2}$.
T. 28 N., R. 55 E.,
Secs. 3 to 10, inclusive;
Sec. 16, lots 1 to 8, inclusive, W $\frac{1}{2}$ W $\frac{1}{2}$,
Secs. 17 to 20, inclusive;
Sec. 21, lots 1 to 4, inclusive, W $\frac{1}{2}$ W $\frac{1}{2}$,
Secs. 29, 30, 31;
Sec. 32, lots 1 to 4, inclusive, W $\frac{1}{2}$ W $\frac{1}{2}$.

The area described aggregates 64,041.81 acres.

All of the townships involved, excepting that part of T. 26 N., R. 54 E., in Eureka County, are within the exterior boundaries of Grazing District No. 1, established April 8, 1935.

The character of these lands varies from mountainous to rolling and relatively level in topography. There is a scattered growth of pinon-juniper timber, with a fair cover of sagebrush and other native vegetation.

MARION CLAWSON,
Director.

[F. R. Doc. 48-5725; Filed, June 25, 1948;
8:48 a. m.]

[1718340]

COLORADO

**NOTICE OF FILING OF PLAT OF RESURVEY
AND EXTENSION SURVEY**

JUNE 15, 1948.

Notice is given that the plat accepted February 10, 1944, of (1) resurvey of the north two-thirds portion of T. 10 S., R. 103 W., 6th P. M., delineating a retracement and reestablishment of the lines of the original survey as shown upon the plat approved December 23, 1897, and (2) extension survey of a portion of T. 10 S., R. 103 W., 6th P. M., including lands hereinafter described, will be officially filed in the District Land Office, Denver, Colorado, effective at 10:00 a. m., on August 17, 1948. At that time the lands hereinafter described shall, sub-

ject to valid existing rights and the provisions of existing withdrawals, become subject to application, petition, location, or selection as follows:

(a) *Ninety-day period for preference-right filings.* For a period of 90 days from August 17, 1948 to November 15, 1948, inclusive, the public lands affected by this notice shall be subject to (1) application under the homestead or the desert land laws, or the small tract act of June 1, 1938 (52 Stat. 609, 43 U. S. C. 682a) as amended, by qualified veterans of World War II, for whose service recognition is granted by the act of September 27, 1944 (58 Stat. 747, 43 U. S. C., 279-283) subject to the requirements of applicable law, and (2) application under any applicable public-land law, based on prior existing valid settlement rights and preference rights conferred by existing laws or equitable claims subject to allowance and confirmation. Application by such veterans shall be subject to claims of the classes described in subdivision (2).

(b) *Twenty-day advance period for simultaneous preference-right filings.* For a period of 20 days from July 29, 1948, to August 17, 1948, inclusive, such veterans and persons claiming preference rights superior to those of such veterans, may present their applications, and all such applications, together with those presented at 10:00 a. m. on August 17, 1948, shall be treated as simultaneously filed.

(c) *Date for non-preference-right filings authorized by the public-land laws.* Commencing at 10:00 a. m. on November 16, 1948, any of the lands remaining unappropriated shall become subject to such application, petition, location, or selection by the public generally as may be authorized by the public-land laws.

(d) *Twenty-day advance period for simultaneous non-preference-right filings.* Applications by the general public may be presented during the 20-day period from October 28, 1948, to November 16, 1948, inclusive, and all such applications, together with those presented at 10:00 a. m. on November 16, 1948 shall be treated as simultaneously filed.

Veterans shall accompany their applications with certified copies of their certificates of discharge, or other satisfactory evidence of their military or naval service. Persons asserting preference rights, through settlement or otherwise, and those having equitable claims, shall accompany their applications by duly corroborated affidavits in support thereof, setting forth in detail all facts relevant to their claims.

Applications for these lands, which shall be filed in the District Land Office, Denver, Colorado, shall be acted upon in accordance with the regulations contained in § 295.8 of Title 43 of the Code of Federal Regulations (Circular No. 324, May 22, 1914, 43 L. D. 254), and Part 296 of that title, to the extent that such regulations are applicable. Applications under the homestead laws shall be governed by the regulations contained in Parts 166 to 170, inclusive, of Title 43 of the Code of Federal Regulations and applications under the desert land laws and the small tract act of June 1, 1938, shall be governed by the regulations contained

in Parts 232 and 257, respectively, of that title.

Inquiries concerning these lands shall be addressed to the Acting Manager, District Land Office, Denver, Colorado.

The lands affected by this notice are described as follows:

SIXTH PRINCIPAL MERIDIAN

T. 10 S., R. 103 W.,
Secs. 27 to 24, inclusive.

The area described aggregates 4,823.88 acres.

Section 27, T. 10 S., R. 103 W., was included in a first form reclamation withdrawal pursuant to Departmental Order of July 13, 1943, for the Colorado River Storage Project.

All of the lands involved are within the exterior boundaries of Grazing District No. 7 established October 12, 1940.

The land has a rolling to rough and broken surface, cut by box canyons. The vegetation consists chiefly of native grasses with some pinon and cedar timber.

MARION CLAWSON,
Director.

[F. R. Doc. 48-5727; Filed, June 25, 1948;
8:49 a. m.]

[1891559]

WYOMING

NOTICE OF FILING OF PLATS OF SURVEY

JUNE 15, 1948.

Notice is given that the plats of extension survey of lands hereinafter described effective May 16, 1945, will be officially filed in the District Land Office, Cheyenne, Wyoming, effective at 10:00 a. m. on August 17, 1948. At that time the lands shall, subject to valid existing rights and the provisions of existing withdrawals, become subject to application, petition, location, or selection as follows:

(a) *Ninety-day period for preference-right filings.* For a period of 90 days from August 17, 1948, to November 15, 1948, inclusive, the public lands affected by this notice shall be subject to (1) application under the homestead or the desert land laws, or the small tract act of June 1, 1938 (52 Stat. 603, 43 U. S. C. 632a) as amended, by qualified veterans of World War II, for whose service recognition is granted by the act of September 27, 1944 (58 Stat. 747, 43 U. S. C. 279-283) subject to the requirements of applicable law, and (2) application under any applicable public-land law, based on prior existing valid settlement rights and preference rights conferred by existing laws or equitable claims subject to allowance and confirmation. Application by such veterans shall be subject to claims of the classes described in subdivision (2).

(b) *Twenty-day advance period for simultaneous preference-right filings.* For a period of 20 days from July 29, 1948, to August 17, 1948, inclusive, such veterans and persons claiming preference rights superior to those of such veterans, may present their applications, and all such applications, together with those presented at 10:00 a. m. on August 17, 1948 shall be treated as simultaneously filed.

NOTICES

(c) *Date for non-preference-right filings authorized by the public-land laws.* Commencing at 10:00 a. m. on November 16, 1948, any of the lands remaining unappropriated shall become subject to such application, petition, location, or selection by the public generally as may be authorized by the public-land laws.

(d) *Twenty-day advance period for simultaneous non-preference-right filings.* Applications by the general public may be presented during the 20-day period from October 28, 1948, to November 16, 1948, inclusive, and all such applications, together with those presented at 10:00 a. m. on November 16, 1948, shall be treated as simultaneously filed.

Veterans shall accompany their applications with certified copies of their certificates of discharge, or other satisfactory evidence of their military or naval service. Persons asserting preference rights, through settlement or otherwise, and those having equitable claims, shall accompany their applications by duly corroborated affidavits in support thereof, setting forth in detail all facts relevant to their claims.

Applications for these lands, which shall be filed in the District Land Office, Cheyenne, Wyoming, shall be acted upon in accordance with the regulations contained in § 295.8 of Title 43 of the Code of Federal Regulations (Circular No. 324, May 22, 1914, 43 L. D. 254) and Part 296 of that title, to the extent that such regulations are applicable. Applications under the homestead laws shall be governed by the regulations contained in Parts 166 to 170, inclusive, of Title 43 of the Code of Federal Regulations and applications under the desert land laws and the small tract act of June 1, 1938, shall be governed by the regulations contained in Parts 232 and 257, respectively, of that title.

Inquiries concerning these lands shall be addressed to the Acting Manager, District Land Office, Cheyenne, Wyoming.

The lands affected by this notice are described as follows:

SIXTH PRINCIPAL MERIDIAN

T. 50 N., R. 105 W.,
Secs. 4 to 9, inclusive;
Secs. 16 to 20, inclusive;
Sec. 21, N $\frac{1}{2}$, SW $\frac{1}{4}$,
Sec. 28, lots 2 to 5, incl., NW $\frac{1}{4}$,
Secs. 29 to 32, inclusive;
Secs. 34, 35 and 36.
T. 52 N., R. 105 W.,
Secs. 1 to 12, inclusive;
Secs. 18, 19, 29, 30;
Secs. 31 to 36, inclusive.

The area described aggregates, exclusive of tract segregations and homestead entry surveys, 28,091.22 acres.

All of the lands described, excepting lots 1, 2, S $\frac{1}{2}$ NE $\frac{1}{4}$, SE $\frac{1}{4}$, sec. 29, T. 52 N., R. 105 W., are within the exterior boundaries of the Shoshone National Forest pursuant to Proclamation of March 2, 1907, Executive order of July 1, 1908, and the act of December 20, 1921 (42 Stat. 350)

Lots 2, 3, 4, S $\frac{1}{2}$ NE $\frac{1}{4}$, SE $\frac{1}{4}$ NW $\frac{1}{4}$, E $\frac{1}{2}$ SW $\frac{1}{4}$, SE $\frac{1}{4}$ sec. 19, T. 52 N., R. 105 W., are included in Power Site Reserve No. 348, pursuant to Executive order of March 27, 1913, as conformed June 14, 1945.

The character of the land in this area is rough and frequently semi-mountainous.

MARION CLAWSON,
Director

[F. R. Doc. 48-5723; Filed, June 25, 1948;
8:48 a. m.]

[1819718]

NEVADA

NOTICE OF FILING OF PLATS OF SURVEY

JUNE 15, 1948.

Notice is given that the plats of survey of lands hereinafter described accepted July 15 and November 20, 1946, will be officially filed in the District Land Office, Carson City, Nevada, effective at 10:00 a. m. on August 17, 1948. At that time the lands shall, subject to valid existing rights and the provisions of existing withdrawals, become subject to application, petition, location, or selection as follows:

(a) *Ninety-day period for preference-right filings.* For a period of 90 days from August 17, 1948 to November 15, 1948 inclusive, the public lands affected by this notice shall be subject to (1) application under the homestead or the desert land laws, or the small tract act of June 1, 1938 (52 Stat. 609, 43 U. S. C. 682a) as amended, by qualified veterans of World War II, for whose service recognition is granted by the act of September 27, 1944 (58 Stat. 747, 43 U. S. C. 279-283) subject to the requirements of applicable law, and (2) application under any applicable public-land law, based on prior existing valid settlement rights and preference rights conferred by existing laws or equitable claims subject to allowance and confirmation. Application by such veterans shall be subject to claims of the classes described in subdivision (2)

(b) *Twenty-day advance period for simultaneous preference-right filings.* For a period of 20 days from July 29, 1948, to August 17, 1948, inclusive, such veterans and persons claiming preference rights superior to those of such veterans, may present their applications, and all such applications, together with those presented at 10:00 a. m. on August 17, 1948, shall be treated as simultaneously filed.

(c) *Date for non-preference-right filings authorized by the public-land laws.* Commencing at 10:00 a. m. on November 16, 1948, any of the lands remaining unappropriated shall become subject to such application, petition, location, or selection by the public generally as may be authorized by the public-land laws.

(d) *Twenty-day advance period for simultaneous non-preference-right filings.* Applications by the general public may be presented during the 20-day period from October 28, 1948, to November 16, 1948, inclusive, and all such applications, together with those presented at 10:00 a. m. on November 16, 1948, shall be treated as simultaneously filed.

Veterans shall accompany their applications with certified copies of their certificates of discharge, or other satisfactory evidence of their military or naval

service. Persons asserting preference rights, through settlement or otherwise, and those having equitable claims, shall accompany their applications by duly corroborated affidavits in support thereof, setting forth in detail all facts relevant to their claims.

Applications for these lands, which shall be filed in the District Land Office, Carson City, Nevada, shall be acted upon in accordance with the regulations contained in § 295.8 of Title 43 of the Code of Federal Regulations (Circular No. 324, May 22, 1914, 43 L. D. 254) and Part 296 of that title, to the extent that such regulations are applicable. Applications under the homestead laws shall be governed by the regulations contained in Parts 166 to 170, inclusive, of Title 43 of the Code of Federal Regulations and applications under the desert land laws and the small tract act of June 1, 1938, shall be governed by the regulations contained in Parts 232 and 257, respectively, of that title.

Inquiries concerning these lands shall be addressed to the Acting Manager, District Land Office, Carson City, Nevada.

The lands affected by this notice are described as follows:

MOUNT DIABLO MERIDIAN

T. 23 N., R. 69 E.,
Secs. 1 to 36, inclusive.
T. 24 N., R. 69 E.,
Secs. 1 to 36, inclusive.
T. 25 N., R. 69 E.,
Secs. 1 to 36, inclusive.
T. 23 N., R. 70 E.,
Secs. 3 to 10, inclusive;
Secs. 15 to 22, inclusive.
Secs. 27 to 34, inclusive.

The area described aggregates 81,154.39 acres.

All secs. 1 to 18, E $\frac{1}{2}$ sec. 24, E $\frac{1}{2}$ sec. 25, E $\frac{1}{2}$ sec. 36, T. 23 N., R. 69 E., M. D. M., all of Tps. 24 N., R. 69 E., and 23 N., R. 70 E., M. D. M., Nevada, became a part of the Goshute Indian Reservation under authority of the act of April 13, 1938 (52 Stat. 216)

All of the lands involved are within the exterior boundaries of Grazing District No. 4 established November 3, 1936.

The lands are rough and mountainous in character, have shallow, rocky soil, support scattered growths of sagebrush type of vegetation, with generally dense growths of coniferous timber on the south portion.

MARION CLAWSON,
Director

[F. R. Doc. 48-5721; Filed, June 25, 1948;
8:48 a. m.]

[1828354]

UTAH

NOTICE OF FILING OF PLAT OF SURVEY

JUNE 15, 1948.

Notice is given that the plat of survey of lands, hereinafter described, accepted February 13, 1945, will be officially filed in the District Land Office, Salt Lake City, Utah, effective at 10:00 a. m. on August 17, 1948. At that time the lands shall, subject to valid existing rights and the provisions of existing withdrawals,

become subject to application, petition, location, or selection as follows:

(a) *Ninety-day period for preference-right filings.* For a period of 90 days from August 17, 1948, to November 15, 1948, inclusive, the public lands affected by this notice shall be subject to (1) application under the homestead or the desert land laws, or the small tract act of June 1, 1938 (52 Stat. 609, 43 U. S. C. 682a) as amended, by qualified veterans of World War II, for whose service recognition is granted by the act of September 27, 1944 (58 Stat. 747, 43 U. S. C. 279-283) subject to the requirements of applicable law, and (2) application under any applicable public-land law, based on prior existing valid settlement rights and preference rights conferred by existing laws or equitable claims subject to allowance and confirmation. Application by such veterans shall be subject to claims of the classes described in subdivision (2).

(b) *Twenty-day advance period for simultaneous preference-right filings.* For a period of 20 days from July 29, 1948, to August 17, 1948, inclusive, such veterans and persons claiming preference rights superior to those of such veterans, may present their applications, and all such applications, together with those presented at 10:00 a. m. on August 17, 1948 shall be treated as simultaneously filed.

(c) *Date for non-preference-right filings authorized by the public-land laws.* Commencing at 10:00 a. m. on November 16, 1948, any of the lands remaining unappropriated shall become subject to such application, petition, location, or selection by the public generally as may be authorized by the public-land laws.

(d) *Twenty-day advance period for simultaneous non-preference-right filings.* Applications by the general public may be presented during the 20-day period from October 28, 1948, to November 16, 1948, inclusive, and all such applications, together with those presented at 10:00 a. m. on November 16, 1948, shall be treated as simultaneously filed.

Veterans shall accompany their applications with certified copies of their certificates of discharge, or other satisfactory evidence of their military or naval service. Persons asserting preference rights, through settlement or otherwise, and those having equitable claims, shall accompany their applications by duly corroborated affidavits in support thereof, setting forth in detail all facts relevant to their claims.

Applications for these lands, which shall be filed in the District Land Office, Salt Lake City, Utah, shall be acted upon in accordance with the regulations contained in § 295.8 of Title 43 of the Code of Federal Regulations (Circular No. 324, May 22, 1914, 43 L. D. 254) and Part 296 of that title, to the extent that such regulations are applicable. Applications under the homestead laws shall be governed by the regulations contained in Parts 166 to 170, inclusive, of Title 43 of the Code of Federal Regulations and applications under the desert land laws and the small tract act of June 1, 1938, shall be governed by the regulations contained in Parts 232 and 257, respectively, of that title.

Inquiries concerning these lands shall be addressed to the Acting Manager, District Land Office, Salt Lake City, Utah.

The lands affected by this notice are, described as follows:

SALT LAKE MERIDIAN

T. 24 S., R. 21 E., secs. 1 to 36, inclusive.

The area described aggregates 24,606.97 acres.

All of sec. 1, N $\frac{1}{2}$ sec. 2, N $\frac{1}{2}$ sec. 3, all of secs. 12, 13, 23, 24, 25, 26, 27, 33, 34, 35, are withdrawn for the Arches National Monument, pursuant to Proclamation No. 1875 of April 12, 1929 and No. 2312 of November 25, 1938.

The remainder of the lands in the township are within the exterior boundaries of Grazing District No. 9, pursuant to Departmental Order of September 15, 1939.

The E $\frac{1}{2}$ SW $\frac{1}{4}$ sec. 20, T. 24 S., R. 21 E., was included in Public Water Reserve No. 107 of April 17, 1926, as conformed September 18, 1945.

The lands lie on a series of bluffs and broken hills.

MARION CLAWSON,
Director.

[F. R. Doc. 48-5722; Filed, June 25, 1948;
8:48 a. m.]

[1996376]

NEVADA

NOTICE OF FILING OF PLATS OF SURVEY

JUNE 16, 1948.

Notice is given that the plats of survey of lands hereinafter described will be officially filed in the District Land Office, Carson City, Nevada, effective at 10:00 a. m. on August 18, 1948. At that time the lands shall, subject to valid existing rights and the provisions of existing withdrawals, become subject to application, petition, location, or selection as follows:

(a) *Ninety-day period for preference-right filings.* For a period of 90 days from August 18, 1948, to November 16, 1948, inclusive, the public lands affected by this notice shall be subject to (1) application under the homestead or the desert land laws, or the small tract act of June 1, 1938 (52 Stat. 609, 43 U. S. C. 682a) as amended, by qualified veterans of World War II, for whose service recognition is granted by the act of September 27, 1944 (58 Stat. 747, 43 U. S. C. 279-283) subject to the requirements of applicable law, and (2) application under any applicable public-land law, based on prior existing valid settlement rights and preference rights conferred by existing laws or equitable claims subject to allowance and confirmation. Application by such veterans shall be subject to claims of the classes described in subdivision (2).

(b) *Twenty-day advance period for simultaneous preference-right filings.* For a period of 20 days from July 30, 1948, to August 18, 1948, inclusive, such veterans and persons claiming preference rights superior to those of such veterans, may present their applications, and all such applications, together with those pre-

sented at 10:00 a. m. on August 18, 1948, shall be treated as simultaneously filed.

(c) *Date for non-preference-right filings authorized by the public-land laws.* Commencing at 10:00 a. m. on November 17, 1948, any of the lands remaining unappropriated shall become subject to such application, petition, location, or selection by the public generally as may be authorized by the public-land laws.

(d) *Twenty-day advance period for simultaneous non-preference-right filings.* Applications by the general public may be presented during the 20-day period from October 29, 1948, to November 17, 1948, inclusive, and all such applications, together with those presented at 10:00 a. m. on November 17, 1948 shall be treated as simultaneously filed.

Veterans shall accompany their applications with certified copies of their certificates of discharge, or other satisfactory evidence of their military or naval service. Persons asserting preference rights, through settlement or otherwise, and those having equitable claims, shall accompany their applications by duly corroborated affidavits in support thereof, setting forth in detail all facts relevant to their claims.

Applications for these lands, which shall be filed in the District Land Office, Carson City, Nevada, shall be acted upon in accordance with the regulations contained in § 295.8 of Title 43 of the Code of Federal Regulations (Circular No. 324, May 22, 1914, 43 L. D. 254) and Part 296 of that title, to the extent that such regulations are applicable. Applications under the homestead laws shall be governed by the regulations contained in Parts 166 to 170, inclusive, of Title 43 of the Code of Federal Regulations and applications under the desert land laws and the small tract act of June 1, 1938, shall be governed by the regulations contained in Parts 232 and 257, respectively, of that title.

Inquiries concerning these lands shall be addressed to the Acting Manager, District Land Office, Carson City, Nevada.

The lands affected by this notice are described as follows:

MOUNT DIABLO MERIDIAN

T. 26 N., R. 25 E.,
Secs. 1 to 24, inclusive, and secs. 27 to 34, inclusive.

T. 23 N., R. 25 E.,
Secs. 1 to 36, inclusive.

T. 26 N., R. 26 E.,
Secs. 1 to 10, inclusive, and secs. 15 to 19, inclusive.

T. 27 N., R. 26 E.,
Secs. 1 to 36, inclusive.

T. 23 N., R. 26 E.,
Secs. 1 to 36, inclusive.

T. 27 N., R. 27 E.,
Secs. 2 to 10, inclusive, and secs. 16 to 21, inclusive;
Secs. 23 to 32, inclusive.

The areas described aggregate 111,148.61 acres.

On January 31, 1945, permission was granted the Navy Department to use all of the above lands, excepting those in T. 26 N., R. 25 E., and secs. 7, 18, and 19, T. 26 N., R. 26 E., for a Gunnery Training Program. All of the lands involved are within the exterior boundaries of

Grazing District No. 2, established October 18, 1935.

The character of the lands is rough and rocky, with a scattered growth of brush and other desert vegetation.

MARION CLAWSON,
Director

[F. R. Doc. 48-5724; Filed, June 25, 1948;
8:48 a. m.]

CIVIL AERONAUTICS BOARD

[Docket No. 2384, et al.]

UNITED AIR LINES, INC., CHICAGO
HELICOPTER SERVICE CASE

NOTICE OF POSTPONEMENT OF ORAL
ARGUMENT

In the matter of the application of United Air Lines, Inc., and other applicants for certificates of public convenience and necessity.

Notice is given, pursuant to the Civil Aeronautics Act of 1938, as amended, that the date for oral argument in the above-entitled matter, is hereby postponed from June 30, 1948, to July 14, 1948, at 10:00 a. m. (eastern daylight saving time) in Room 5042 Commerce Building, 14th Street and Constitution Avenue NW., Washington, D. C., before the Board.

Dated at Washington, D. C., June 23, 1948.

By the Civil Aeronautics Board.

[SEAL] M. C. MULLIGAN,
Secretary.

[F. R. Doc. 48-5749; Filed, June 25, 1948;
8:53 a. m.]

FEDERAL POWER COMMISSION

[Docket No. G-1055]

OHIO FUEL GAS CO.

ORDER FIXING DATE OF HEARING

JUNE 22, 1948.

Upon consideration of the application filed June 1, 1948, by The Ohio Fuel Gas Company (Applicant) an Ohio corporation with its principal place of business at Columbus, Ohio, for a certificate of public convenience and necessity pursuant to section 7 of the Natural Gas Act, as amended, authorizing the construction and operation of certain natural-gas facilities, and also for an order approving and permitting the abandonment and removal of certain natural-gas facilities, subject to the jurisdiction of the Commission, as fully described in such application on file with the Commission and open to public inspection;

It appears to the Commission that: This proceeding is a proper one for disposition under the provisions of § 1.32 (b) of the Commission's rules of practice and procedure, Applicant having requested that its application be heard under the shortened procedure provided by the aforesaid rule for non-contested proceedings, and no request to be heard, protests or petition having been filed subsequent to the giving of due notice of the filing of the application, including

publication in the FEDERAL REGISTER on June 12, 1948 (13 F. R. 3216)

The Commission, therefore, orders that:

(A) Pursuant to the authority contained in and subject to the jurisdiction conferred upon the Federal Power Commission by sections 7 and 15 of the Natural Gas Act, as amended, and the Commission's rules of practice and procedure, a hearing be held on July 7, 1948, at 9:45 a. m. (e. d. s. t.), in the Hearing Room of the Federal Power Commission, 1800 Pennsylvania Avenue NW., Washington, D. C., concerning the matters involved and the issues presented by such application: *Provided, however* That the Commission may, after a noncontested hearing, forthwith dispose of the proceeding pursuant to the provisions of § 1.32 (b) of the Commission's rules of practice and procedure.

(B) Interested State commissions may participate as provided by §§ 1.8 and 1.37 (f) of the said rules of practice and procedure.

Date of issuance: June '23, 1948.

By the Commission.

[SEAL] LEON M. FUQUAY,
Secretary.

[F. R. Doc. 48-5740; Filed, June 25, 1948;
8:52 a. m.]

[Docket No. G-882]

TRUNKLINE GAS SUPPLY CO.

ORDER POSTPONING HEARING

JUNE 22, 1948.

It appearing to the Commission that:

(a) By order issued April 28, 1948, hearing was fixed to commence June 28, 1948, concerning the application filed March 20, 1947, by Trunkline Gas Supply Company (Applicant) in the above-entitled matter.

(b) On June 11, 1948, the National Coal Association, United Mine Workers of America, and Railway Labor Executives Association, interveners herein, filed a motion for a continuance of the hearing fixed to commence June 28, 1948.

(c) On June 14, 1948, Applicant filed a response opposing any continuance of the hearing, alleging it desires to go forward at the hearing set for June 28, 1948, "is prepared to commence hearings on said date, and expects to be able to complete such hearings without further extension of time for such purpose."

(d) On June 18, 1948, Applicant filed its "First Amendment to Original Application" containing changes of a substantial character to the application as filed March 20, 1947.

(e) Public notice of the amended application has not been given, and, unless the hearing fixed to commence June 28, 1948, is postponed, there exists insufficient time before the hearing to give public notice of the amended application, including publication thereof in the FEDERAL REGISTER.

(f) Neither the application filed on March 20, 1947, nor the amendment filed on June 18, 1948, contain all the information required by the rules and regula-

tions of the Commission respecting such matters; postponement of the hearing now fixed to commence June 28, 1948, would afford Applicant further opportunity to file all the required information.

(g) Good cause exists for postponement of the hearing as hereinafter ordered.

The Commission orders that:

(A) The hearing in this proceeding heretofore set for June 28, 1948, be and the same is hereby postponed to November 8, 1948, at the same time and place.

(B) Applicant be and it is hereby directed to file with the Commission, not later than 30 days before the commencement of the hearing in this matter, a supplement to its application. Said supplement shall contain all information respecting the facilities applied for not now contained in the application as amended, and which is required by the rules and regulations of the Commission respecting such matters.

Date of issuance: June 23, 1948.

By the Commission.

[SEAL] LEON M. FUQUAY,
Secretary.

[F. R. Doc. 48-5741; Filed, June 25, 1948;
8:52 a. m.]

[Docket No. G-1034]

NORTHERN NATURAL GAS CO.

ORDER FIXING DATE OF HEARING

JUNE 22, 1948.

Upon consideration of the application filed April 14, 1948, by Northern Natural Gas Company, a Delaware corporation with its principal office at Omaha, Nebraska, for a certificate of public convenience and necessity, pursuant to section 7 of the Natural Gas Act, as amended, authorizing the construction and operation of certain natural-gas facilities, and for permission and approval to abandon certain other natural-gas facilities, subject to the jurisdiction of the Commission, as fully described in such application on file with the Commission and open to public inspection;

It appears to the Commission that: This proceeding is a proper one for disposition under the provisions of Rule 32 (b) (18 CFR 1.32 (b)) of the Commission's rules of practice and procedure, Applicant having requested that its application be heard under the shortened procedure provided by the aforesaid rule for non-contested proceedings, and no request to be heard, protest or petition having been filed subsequent to the giving of due notice of the filing of the application, including publication in the FEDERAL REGISTER on April 30, 1948 (13 F. R. 2357-58)

The Commission, therefore, orders that:

(A) Pursuant to the authority contained in and subject to the jurisdiction conferred upon the Federal Power Commission by sections 7 and 15 of the Natural Gas Act, as amended, and the Commission's rules of practice and procedure, a hearing be held on July 8, 1948, at 9:30 a. m. (e. d. s. t.) in the Hearing Room

of the Federal Power Commission, 1800 Pennsylvania Avenue NW., Washington, D. C., concerning the matters involved and the issues presented by such application as supplemented; *Provided, however* That the Commission may, after a noncontested hearing, forthwith dispose of the proceeding pursuant to the provisions of Rule 32 (b) of the Commission's rules of practice and procedure.

(B) Interested State commissions may participate as provided by Rules 8 and 37 (f) (18 CFR 1.8 and 1.37 (f)) of the said rules of practice and procedure.

Date of issuance: June 22, 1948.

By the Commission.

[SEAL] LEON M. FUQUAY,
Secretary.

[F. R. Doc. 48-5742; Filed, June 25, 1948;
8:52 a. m.]

[Docket No. E-6131]

SIERRA PACIFIC POWER CO.

NOTICE OF SUPPLEMENTAL ORDER AUTHORIZING AND APPROVING ISSUANCE OF BONDS

JUNE 23, 1948.

Notice is hereby given that, on June 22, 1948, the Federal Power Commission issued its supplemental order entered June 22, 1948, authorizing and approving issuance of bonds in the above-designated matter.

[SEAL] LEON M. FUQUAY,
Secretary.

[F. R. Doc. 48-5743; Filed, June 25, 1948;
8:52 a. m.]

[Docket No. E-6144]

NORTHWESTERN PUBLIC SERVICE CO.

NOTICE OF ORDER AUTHORIZING AND APPROVING THE ISSUANCE OF SECURITIES

JUNE 23, 1948.

Notice is hereby given that, on June 22, 1948, the Federal Power Commission issued its order entered June 22, 1948, authorizing and approving the issuance of securities in the above-designated matter.

[SEAL] LEON M. FUQUAY,
Secretary.

[F. R. Doc. 48-5744; Filed, June 25, 1948;
8:52 a. m.]

[Docket No. E-6146]

NORTHWESTERN PUBLIC SERVICE CO.

NOTICE OF ORDER AUTHORIZING ISSUANCE OF PROMISSORY NOTES

JUNE 23, 1948.

Notice is hereby given that, on June 22, 1948, the Federal Power Commission issued its order entered June 22, 1948, authorizing issuance of promissory notes in the above-designated matter.

[SEAL] LEON M. FUQUAY,
Secretary.

[F. R. Doc. 48-5745; Filed, June 25, 1948;
8:52 a. m.]

[Docket No. G-1003]

TEXAS EASTERN TRANSMISSION CORP.

ORDER FIXING DATE OF HEARING

JUNE 22, 1948.

Upon consideration of the application filed February 16, 1948, as amended May 7, 1948, and supplemented on May 25, 1948, by Texas Eastern Transmission Corporation (Applicant), a Delaware corporation with its principal place of business at Shreveport, Louisiana, for a certificate of public convenience and necessity pursuant to section 7 of the Natural Gas Act, as amended, authorizing the construction and operation of certain natural-gas facilities subject to the jurisdiction of the Commission, as fully described in such application on file with the Commission, and open to public inspection; public notice thereof having been given, including publication in the FEDERAL REGISTER on March 3, 1948 (13 F. R. 1152)

The Commission orders that:

(A) Pursuant to the authority contained in and subject to the jurisdiction conferred upon the Federal Power Commission by sections 7 and 15 of the Natural Gas Act, as amended, and the Commission's rules of practice and procedure, a public hearing be held commencing on July 12, 1948, at 10:00 a. m. (e. d. s. t.) in the Hearing Room of the Federal Power Commission, 1800 Pennsylvania Avenue, N. W., Washington, D. C., concerning the matters involved and the issues presented by the application as amended and supplemented in this proceeding.

(B) Interested State commissions may participate as provided by Rules 8 and 37 (f) (18 CFR 1.8 and 1.37 (f)) of the said rules of practice and procedure.

Date of issuance: June 23, 1948.

By the Commission.

LEON M. FUQUAY,
Secretary.

[F. R. Doc. 48-5746; Filed, June 25, 1948;
8:52 a. m.]

[Docket Nos. G-1003, G-1036]

REVERE NATURAL GAS CO. AND TEXAS EASTERN TRANSMISSION CORP.

ORDER CONSOLIDATING PROCEEDINGS AND FIXING DATE OF HEARING

JUNE 22, 1948.

Upon consideration of the application filed February 9, 1948, by Revere Natural Gas Company, a Pennsylvania corporation with its principal office in the town of Jefferson, Greene County, Pennsylvania, for an order pursuant to section 7 (a) of the Natural Gas Act, directing Texas Eastern Transmission Corporation to establish a physical connection of its gas transmission lines with the facilities of and to sell natural gas to Revere Natural Gas Company as described in such application on file with the Commission and open to public inspection;

It appears to the Commission that:

(a) It is necessary and desirable in the public interest that a hearing be held respecting the matters involved and the issues raised by such application;

(b) Good cause exists for consolidating the proceedings to be had in Docket No. G-1036 with proceedings in Docket No. G-1003 for the purpose of hearing; and

The Commission orders that:

(A) A public hearing be held, commencing at 10:00 a. m. (e. d. s. t.) on July 12, 1948, in the Main Hearing Room of the Federal Power Commission, 1800 Pennsylvania Avenue NW., Washington, D. C., respecting the matters involved and the issues presented by the application of Revere Natural Gas Company;

(B) The public hearing provided for in Paragraph (A) above be and the same is hereby consolidated for hearing with the matters involved in Docket No. G-1003;

(C) Interested State commissions may participate as provided by Rules 8 and 37 (f) (18 CFR 1.8 and 1.37 (f)) of the Commission's rules of practice and procedure.

Date of issuance: June 23, 1948.

By the Commission.

[SEAL] LEON M. FUQUAY,
Secretary.

[F. R. Doc. 48-5747; Filed, June 25, 1948;
8:52 a. m.]

[Docket Nos. G-1043, G-1033]

CITY GAS CO. OF NEW JERSEY AND TEXAS EASTERN TRANSMISSION CORP.

ORDER CONSOLIDATING PROCEEDINGS AND FIXING DATE OF HEARING

JUNE 22, 1948.

Upon consideration of the application filed May 14, 1948, by the City Gas Company of New Jersey, a New Jersey corporation with its principal place of business in Flemington, New Jersey, for an order pursuant to section 7 (a) of the Natural Gas Act, directing Texas Eastern Transmission Corporation to establish physical connections of its gas transmission lines with the facilities of and to sell natural gas to City Gas Company of New Jersey, as described in such application on file with the Commission and open to public inspection;

It appears to the Commission that:

(a) It is necessary and desirable in the public interest that a hearing be held respecting the matters involved and the issues raised by such application;

(b) Good cause exists for consolidating the proceedings to be had in Docket No. G-1043 with proceedings in Docket No. G-1003 for the purpose of hearing; and

The Commission orders that:

(A) A public hearing be held, commencing at 10:00 a. m. (e. d. s. t.) on July 12, 1948, in the Main Hearing Room of the Federal Power Commission, 1800 Pennsylvania Avenue NW., Washington, D. C., respecting the matters involved and the issues presented by the application of City Gas Company of New Jersey;

(B) The public hearing provided for in Paragraph (A) above be and the same is hereby consolidated for hearing with the matters involved in Docket No. G-1003;

(C) Interested State commissions may participate as provided by Rules 8 and 37 (f) (18 CFR 1.8 and 1.37 (f)) of the Commission's rules of practice and procedure.

Date of issuance: June 23, 1948.

By the Commission.

[SEAL] LEON M. FUQUAY,
Secretary.

[F. R. Doc. 48-5748; Filed, June 25, 1948;
8:53 a. m.]

FEDERAL TRADE COMMISSION

[File No. 21-367]

YEAST INDUSTRY

NOTICE OF HOLDING OF TRADE PRACTICE CONFERENCE

At a regular session of the Federal Trade Commission held at its office in the city of Washington, D. C., on the 23d day of June 1948.

Notice is hereby given that a trade practice conference will be held by the Federal Trade Commission for the Yeast Industry in Room 332, Federal Trade Commission Building, Pennsylvania Avenue at Sixth Street NW., Washington, D. C., on July 13, 1948, commencing at 10 a. m., daylight saving time.

The industry for which the conference is called is that engaged in the business of manufacturing, placing on the market or distributing, the product yeast used in bakery products, or otherwise. All persons, firms, corporations, or organizations engaged in such business are cordially invited to attend or be represented at the Conference and to take part in the proceedings.

The Conference and further proceedings in the matter will be directed toward the eventual establishment and promulgation by the Commission of trade practice rules for the industry under which unfair methods of competition, unfair or deceptive acts or practices, and other trade abuses, may be eliminated and prevented.

By direction of the Commission.

[SEAL] OTIS B. JOHNSON,
Secretary.

[F. R. Doc. 48-5761; Filed, June 25, 1948;
8:50 a. m.]

SECURITIES AND EXCHANGE COMMISSION

[File No. 70-735]

CONSUMERS GAS CO.

ORDER GRANTING REQUEST FOR EXTENSION

At a regular session of the Securities and Exchange Commission, held at its office in the city of Washington, D. C., on the 21st day of June 1948.

Consumers Gas Company, a subsidiary of The United Gas Improvement Company, a registered holding company, having requested a one-year extension (to July 2, 1947) of the time fixed by our order of July 2, 1943 (Holding Company Act Release No. 4409) as extended by our orders of June 16, 1944, June 21, 1945, July 1, 1946 and July 1, 1947 (Holding Com-

pany Act Release Nos. 5110, 5876, 6753 and 7532) within which Consumers Gas Company may purchase a maximum of 800 shares of capital stock of Reading Gas Company from non-affiliated interests as shares become available for purchase; and

Consumers Gas Company having stated that to date 602 shares of the capital stock of Reading Gas Company have been purchased, and that an additional one-year extension is desired in order to consummate the said purchase program; and

It appearing to the Commission that the requested extension of time is not unreasonable or detrimental to the public interest or the interests of investors or consumers:

It is ordered, That Consumers Gas Company be, and hereby is, granted an additional period of one year from July 2, 1948 within which to consummate the proposed purchase program covered by our order of July 2, 1943, subject, however, to the same conditions and reservation of jurisdiction as are imposed by said order.

By the Commission.

[SEAL] ORVAL L. DUBOIS,
Secretary.

[F. R. Doc. 48-5729; Filed, June 25, 1948;
8:52 a. m.]

[File No. 70-1787]

SOUTHERN NATURAL GAS CO.

SUPPLEMENTAL ORDER RELEASING JURISDICTION WITH RESPECT TO ISSUE AND SALE OF BONDS

At a regular session of the Securities and Exchange Commission held at its office in the city of Washington, D. C., on the 22d day of June A. D. 1948.

Southern Natural Gas Company ("Southern") a registered holding company and a subsidiary of Federal Water and Gas Corporation, also a registered holding company, having filed an application-declaration pursuant to the Public Utility Holding Company Act of 1935 regarding, among other things, the issue and sale by Southern, at competitive bidding pursuant to Rule U-50, of \$28,000,000 principal amount of its First Mortgage Pipe Line Sinking Fund Bonds. ---% Series Due 1968;

The Commission having by order, entered herein on June 10, 1948, granted and permitted effectiveness to the joint application-declaration, as amended, subject, among other things, to the condition that the proposed issuance and sale of such bonds should not be consummated until the results of competitive bidding had been made a matter of record in this proceeding and a further order entered by the Commission in the light of the record so completed;

Southern having filed an amendment to said application-declaration setting forth the action taken to comply with the requirements of Rule U-50 which states that pursuant to the invitation for competitive bids, the following bids were received:

| Bidders* | Coupon rate (per cent) | Price to company (percent of principal amount) ¹ | Cost to company |
|-------------------------------|------------------------|---|-----------------|
| Halsey, Stuart & Co., Inc.... | 3 | 100.22713 | 2.0348 |
| The First Boston Corp..... | 3½ | 101.6599 | 3.0139 |
| Blyth & Co. Inc.-Kiddier | | | |
| Peabody & Co. Inc..... | 3½ | 101.46 | 3.0278 |

* Plus accrued interest from June 1, 1948.

It appearing that Southern has accepted the bid of Halsey, Stuart & Co., Inc., that the bonds will be offered to the public at an initial offering price equal to 100.75% of the principal amount thereof plus accrued interest from June 1, 1948, to the date of delivery, that the underwriting spread on this basis is equal to 0.52287% of the principal amount of the bonds;

Southern also having submitted an estimate of fees and expenses to be paid by it in connection with the transactions proposed in said application-declaration totalling \$215,000, including fees of four firms acting as legal counsel for the company aggregating \$48,500 and the fee of counsel for the Trustee under the indenture securing the bonds in the amount of \$2,500; and fee of counsel for the underwriters, Messrs. Chadbourne, Hunt, Jaeckel & Brown, in the amount of \$22,500 to be paid by the winning bidders; and

The Commission having examined said amendment and having considered the record herein and finding no basis for imposing terms and conditions with respect to the price to be paid the company for said bonds, the coupon rate and the proposed underwriting spread; and finding that the fees and expenses, to the extent that they do not exceed the estimates, are not unreasonable;

It is ordered, That the jurisdiction heretofore reserved pursuant to Rule U-50 with respect to the issue and sale by Southern Natural Gas Company of \$28,000,000 principal amount of its bonds be, and hereby is, granted and permitted to become effective forthwith, subject, however, to the terms and conditions prescribed in Rule U-24.

It is further ordered, That jurisdiction be, and hereby is, released with respect to the payment of fees and expenses incurred in connection with the transactions proposed in said application-declaration.

By the Commission.

[SEAL] ORVAL L. DUBOIS,
Secretary.

[F. R. Doc. 48-5730; Filed, June 25, 1948;
8:50 a. m.]

[File No. 70-1845]

ASSOCIATED ELECTRIC CO.

ORDER PERMITTING DECLARATION TO BECOME EFFECTIVE

At a regular session of the Securities and Exchange Commission, held at its office in the city of Washington, D. C., on the 21st day of June A. D. 1948.

Associated Electric Company ("Aelec"), a registered holding com-

pany, has filed a declaration, as amended, pursuant to sections 6 (a) (2), 7, and 12 (b) of the Public Utility Holding Company Act of 1935 ("act") and Rule U-45 promulgated thereunder with respect to the following transaction:

As at December 31, 1947, Manila Electric Company, a wholly-owned subsidiary of Aelee, had outstanding 97,220 shares of \$50 par value common stock, having an aggregate par value of \$4,861,000, an open account payable in the amount of \$12,646,260, and \$161,491 of accrued interest payable on the open account. All the shares of common stock and the open account payable are held by Aelee. Aelee proposes to subordinate all the indebtedness owing it by Manila Electric Company at December 31, 1947 (including interest thereon to that date) to such promissory notes as Manila Electric Company may issue and sell prior to December 31, 1949, in amounts aggregating not in excess of \$4,800,000 (\$2,400,000 at the current rate of exchange of two pesos to the dollar). The notes, which will mature 30 months after date of issuance, or on December 1, 1951, whichever date shall be earlier, will be sold to four commercial banks in the Philippine Islands.

Such declaration, as amended, having been duly filed, and notice of said filing having been duly given in the form and manner prescribed by Rule U-23 promulgated pursuant to said act, and the Commission not having received a request for a hearing with respect to said declaration, as amended, within the period specified in said notice, or otherwise, and not having ordered a hearing thereon; and

The Commission finding that the requirements of the applicable provisions of the act and the rules and regulations promulgated thereunder are satisfied, and deeming it appropriate in the public interest and in the interest of investors that said declaration, as amended, be permitted to become effective, and deeming it appropriate to grant the request of declarant that the order become effective at the earliest date possible:

It is hereby ordered, Pursuant to Rule U-23 and the applicable provisions of the act and the rules and regulations promulgated thereunder, and subject to the terms and conditions prescribed in Rule U-24, that the declaration, as amended, be, and the same hereby is, permitted to become effective forthwith.

By the Commission.

[SEAL] ORVAL L. DuBOIS,
Secretary.

[F. R. Doc. 48-5734; Filed, June 25, 1948;
8:51 a. m.]

[File No. 70-1846]

NORTHERN STATES POWER CO.

NOTICE REGARDING FILING

At a regular session of the Securities and Exchange Commission, held at its office in the city of Washington, D. C., on the 21st day of June A. D. 1948.

No. 125—7

Notice is hereby given that an application, and an amendment thereto, has been filed with this Commission pursuant to the Public Utility Holding Company Act of 1935 ("the act") by Northern States Power Company ("Northern States") a Minnesota corporation. Northern States is a registered holding company, a public utility operating company, and a subsidiary of Northern States Power Company, a Delaware corporation, also a registered holding company. Northern States designates sections 9 (a) and 10 of the act as applicable to the proposed transaction.

All interested persons are referred to said application on file in the office of this Commission for a statement of the transaction therein proposed, which is summarized as follows:

Northern States proposes to acquire from the village of Maynard, Minnesota, for the cash consideration of \$25,340, certain utility assets owned by said village, consisting principally of the municipal electric distribution and overhead street lighting systems in the village of Maynard and electric transmission and rural lines in rural territory adjacent thereto, all located in Chippewa County, Minnesota; including also meters and appurtenances now owned by the village, lists of customers, and all right and interest of the village in and to its electric business. The property proposed to be acquired serves electric energy at retail to approximately 230 customers in Maynard, Minnesota, and adjacent rural territory. Northern States will receive from the village a 20-year franchise for the distribution of electric energy.

The village of Maynard is located in the service area of the company and is almost completely surrounded by its properties. The company proposes to construct a new transmission line three miles long to connect the village system with the company's present transmission line system, and to rebuild the distribution system within the village. The company's standard schedule of rates will be extended to the village customers; which rates are somewhat lower than those presently charged by the village of Maynard.

The application states that the purchase price is \$4,733 in excess of the estimated original cost of the properties less straight line depreciation, and that such excess will be charged to its earned surplus account upon consummation of the transaction.

It is further stated that no State commission and no other Federal commission has jurisdiction over the proposed transaction.

Notice is further given that any interested person may, not later than June 30, 1948, at 5:30 p. m., e. d. s. t., request the Commission in writing that a hearing be held on such matter, stating the nature of his interest, the reasons for such request and the issues, if any, of fact or law raised by said application proposed to be controverted, or may request that he be notified if the Commission should order a hearing thereon. Any such request should be addressed: Secretary, Securities and Exchange Commission, 425 Second Street NW.,

Washington 25, D. C. At any time after June 30, 1948 said application, as amended, may be granted as provided in Rule U-23 of the rules and regulations promulgated under the act, or the Commission may exempt such transaction as provided in Rule U-20 (a) and U-100 thereof.

By the Commission.

[SEAL] ORVAL L. DuBOIS,
Secretary.

[F. R. Doc. 48-5737; Filed, June 25, 1948;
8:51 a. m.]

[File No. 70-1864]

QUEENS BOROUGH GAS AND ELECTRIC CO.

ORDER PERMITTING DECLARATION TO BECOME EFFECTIVE

At a regular session of the Securities and Exchange Commission, held at its office in the city of Washington, D. C., on the 21st day of June 1948.

Queens Borough Gas and Electric Company, a subsidiary of Long Island Lighting Company, a registered holding company, having filed a declaration, as amended, pursuant to sections 6 and 7 of the Public Utility Holding Company Act of 1935 ("act") with respect to the following transaction:

Declarant proposes to issue and sell for cash at face amount to a commercial bank a seven-months unsecured promissory note having a face amount of \$400,000 which will bear interest at the rate of 2¼% per annum. The proceeds of the sale of the note are to be used to repay an outstanding note in the same amount, which is due June 22, 1948 and which is held by the same commercial bank.

Such declaration, as amended, having been duly filed, and notice of said filing having been duly given in the form and manner prescribed by Rule U-23 promulgated pursuant to said act, and the Commission not having received a request for hearing with respect to said declaration, as amended, within the period specified in said notice, or otherwise, and not having ordered a hearing thereon; and

The Commission finding that no adverse findings are necessary with respect to the declaration, as amended, and deeming it appropriate in the public interest and in the interests of investors and consumers that said declaration, as amended, be permitted to become effective, and deeming it appropriate to grant the request of declarant that the order become effective at the earliest date possible:

It is hereby ordered, Pursuant to Rule U-23 and the applicable provisions of the act and subject to the terms and conditions prescribed in Rule U-24, that the declaration, as amended, be, and the same hereby is, permitted to become effective forthwith.

By the Commission.

[SEAL] ORVAL L. DuBOIS,
Secretary.

[F. R. Doc. 48-5733; Filed, June 25, 1948;
8:50 a. m.]

[File No. 70-1875]

COLUMBIA GAS SYSTEM, INC. AND NATURAL
GAS CO. OF WEST VIRGINIA

NOTICE REGARDING FILING

At a regular session of the Securities and Exchange Commission, held at its office in the city of Washington, D. C., on the 21st day of June A. D. 1948.

Notice is hereby given that a joint application-declaration has been filed with this Commission pursuant to the Public Utility Holding Company Act of 1935 by The Columbia Gas System, Inc., formerly Columbia Gas & Electric Corporation ("Columbia") a registered holding company, and its subsidiary, Natural Gas Company of West Virginia ("Natural Gas") Applicants-declarants have designated sections 6, 7, 9 and 10 of the act as applicable to the proposed transaction.

Notice is further given that any interested person may, not later than July 6, 1948, at 5:30 p. m., e. d. s. t., request the Commission in writing that a hearing be held on such matter, stating the nature of his interest, the reasons for such request and the issues, if any, of fact or law raised by said application-declaration proposed to be controverted, or may request that he be notified if the Commission should order a hearing thereon. Any such request should be addressed: Secretary, Securities and Exchange Commission, 425 2d Street, N. W., Washington 25, D. C. At any time after July 6, 1948, said application-declaration, as filed or as amended, may be granted and permitted to become effective as provided in Rule U-23 of the Rules and Regulations promulgated under the act, or the Commission may exempt such transaction as provided in Rule U-20 (a) and U-100 thereof.

All interested persons are referred to said application-declaration which is on file in the office of this Commission for a statement of the transaction therein proposed, which is summarized as follows:

Natural Gas, all of whose outstanding securities are owned by Columbia, proposes to issue and sell to the latter \$600,000 principal amount of 3¼% Installment Promissory Notes. Such notes are to be unsecured and are to be paid in equal annual installments on August 15 of each of the years from 1950 to 1974, inclusive. It is stated that the proceeds to be obtained through the issue and sale of said notes will be utilized by Natural Gas in connection with its construction program.

Natural Gas has filed an application with the Public Service Commission of West Virginia with respect to the issue and sale of the 3¼% notes and a copy of the order to be issued by said Commission will be supplied by amendment.

It is requested that the Commission's order granting and permitting the joint application-declaration to become effective be issued as soon as possible and that it shall be effective forthwith.

By the Commission.

[SEAL] ORVAL L. DuBois,
Secretary.

[F. R. Doc. 48-5731; Filed, June 25, 1948;
8:50 a. m.]

[File No. 70-1877]

CARL J. AUSTRIAN ET AL.

NOTICE OF FILING

At a regular session of the Securities and Exchange Commission, held at its office in the city of Washington, D. C., on the 21st day of June 1948.

In the matter of Carl J. Austrian and Robert G. Butcher, Trustees of Central States Electric Corporation, Debtor.

Notice is hereby given that Carl J. Austrian and Robert G. Butcher, Trustees of Central States Electric Corporation, Debtor ("Trustees") in reorganization under Chapter X of the Bankruptcy Act in the United States District Court for the Eastern District of Virginia, and affiliates of The North American Company and The United Light and Railways Company, both registered holding companies, have filed an application pursuant to the Public Utility Holding Company Act of 1935 ("act") The applicant has designated sections 9 (a) (2) and 10 of the act as applicable to the proposed transactions.

Notice is further given that any interested person may, not later than June 30, 1948, at 12:00 noon, e. d. s. t., request the Commission in writing that a hearing be held on such matter, stating the nature of his interest, the reasons for such request and the issues, if any, of fact or law raised by said application proposed to be controverted, or may request that he be notified if the Commission should order a hearing thereon. At any time thereafter, such application, as filed or as amended, may be granted as provided in Rule U-23 of the rules and regulations promulgated pursuant to said act, or the Commission may exempt such transactions as provided in Rules U-20 (a) and U-100 thereof. Any such request should be addressed: Secretary, Securities and Exchange Commission, 425 Second Street NW., Washington 25, D. C.

All interested persons are referred to said application which is on file in the office of this Commission, for a statement of the transactions therein proposed, which are summarized below:

The Trustees, together with their subsidiaries, Blue Ridge Corporation and American Cities Power and Light Corporation, all of which are registered investment companies under the Investment Company Act of 1940, own approximately 5.8% of the common stock of The North American Company ("North American") By order of the Commission dated May 19, 1948, North American was permitted, among other things, to distribute on July 1, 1948, in partial liquidation, to its holders of common stock of record as of June 4, 1948, shares of the common stock of Wisconsin Electric Power Company ("Wisconsin Electric") having a par value of \$10 per share, owned by North American, at the rate of 3 shares of Wisconsin Electric common stock for each 100 shares of North American common stock held. As a result of said distribution on July 1, 1948, the Trustees, together with their subsidiaries, Blue Ridge Corporation and American Cities Power and Light Corporation, will be entitled to receive an amount of common stock of Wisconsin Electric which, together with their pres-

ent holdings of Wisconsin Electric securities, will amount to approximately 5.42% of the outstanding voting securities of Wisconsin Electric, thereby causing the Trustees to become an affiliate of Wisconsin Electric.

The Trustees now propose to acquire and own, directly or indirectly, the shares of Wisconsin Electric common stock which they and their subsidiaries are entitled to receive pursuant to said distribution on July 1, 1948, by North American and they represent that subsequent to such distribution, they intend to dispose of a sufficient number of shares of Wisconsin Electric, either directly or indirectly, to reduce their direct or indirect ownership of such shares to an amount representing less than 5% of the voting power of Wisconsin Electric. The foregoing disposition will be made, subject to any necessary approval of the United States District Court for the Eastern District of Virginia, as soon as practicable and within 6 months from the date of an order of the Commission herein approving the proposed acquisition, or within such extended period of time as the Commission may permit upon application therefor by the Trustees.

The Trustees request that the Commission's order herein be issued as promptly as may be practicable and become effective upon the issuance thereof.

By the Commission.

[SEAL] ORVAL L. DuBois,
Secretary.

[F. R. Doc. 48-5732; Filed, June 25, 1948;
8:50 a. m.]

[File No. 70-1868]

CENTRAL MAINE POWER CO.

NOTICE OF FILING AND NOTICE OF AND ORDER
FOR HEARING

At a regular session of the Securities and Exchange Commission, held at its office in the city of Washington, D. C., on the 21st day of June A. D. 1948.

Notice is hereby given that Central Maine Power Company ("Central Maine") a public utility subsidiary of New England Public Service Company, a registered holding company, has filed an application with this Commission, pursuant to the Public Utility Holding Company Act of 1935. Applicant designates section 6 (b) of the act and Rule U-50 promulgated thereunder as applicable to the proposed transactions.

All interested persons are referred to said application which is on file in the offices of this Commission for a statement of the transactions therein proposed which are summarized as follows:

Central Maine proposes to issue and sell at competitive bidding, pursuant to the provisions of Rule U-50, \$5,000,000 principal amount of First and General Mortgage Bonds of a new series, under its First and General Mortgage, as amended and supplemented, to be designated as "Series Q." The public offering price of the bonds, the names of the underwriters, the amounts of their several commitments, and the amount of commission to be paid to the underwriters will be supplied by amendment.

The net proceeds from the sale of the bonds will be used by the company to reduce its outstanding short-term notes (stated to aggregate \$6,900,000 at June 9, 1948) the proceeds of which were used for construction and other corporate purposes.

Applicant states that the proposed transactions are subject to the jurisdiction of the Public Utilities Commission of Maine and that, when the approval of such Commission is obtained, a copy of the order will be filed as an exhibit to its application.

It appearing to the Commission that it is appropriate in the public interest and in the interest of investors and consumers that a hearing be held with respect to the matters set forth in said application, and that the application shall not be granted except pursuant to further order of this Commission:

It is ordered, That a hearing on the application, pursuant to the applicable provisions of the act and the rules and regulations thereunder, be held on July 1, 1948, at 10:00 a. m., e. d. s. t., at the offices of this Commission, 425 Second Street NW., Washington 25, D. C. On such date the hearing room clerk in Room 101 will advise as to the room in which such hearing will be held.

It is further ordered, That any person desiring to be heard or otherwise wishing to participate in this proceeding shall file with the Secretary of this Commission, on or before June 29, 1948, a written request relative thereto as provided by Rule XVII of the Commission's rules of practice.

It is further ordered, That Allen MacCullen, or any other officer or officers of this Commission designated by it for that purpose, shall preside at such hearing. The officer so designated to preside at such hearing is hereby authorized to exercise all powers granted to the Commission under section 18 (c) of the act and to a hearing officer under the Commission's rules of practice.

The Public Utilities Division of the Commission having advised the Commission that it has made a preliminary examination of the application and that, upon the basis thereof, the following matters and questions are presented for consideration without prejudice to its specifying additional matters or questions upon further examination:

1. Whether the proposed issue and sale of bonds by Central Maine are solely for the purpose of financing the business of the company and have been expressly authorized by the State commission of the State in which the company is organized and doing business.
2. Whether the indenture, as supplemented, securing the proposed bonds contains adequate protective provisions.
3. Whether the accounting entries to be recorded in connection with the proposed transactions are proper and conform to accepted accounting principles.
4. Whether the fees, commissions and other remunerations to be paid in connection with the proposed transactions are reasonable.
5. Whether, in the event that the exemption provided by section 6 (b) is granted, it is necessary or appropriate

in the public interest or for the protection of investors and consumers to impose terms or conditions in connection with the proposed issuance of bonds, and if so, what terms and conditions should be imposed.

It is further ordered, That particular attention be directed at said hearing to the foregoing matters and questions.

It is further ordered, That the Secretary of the Commission shall serve a copy of this order by registered mail on applicant herein, the Public Utilities Commission of Maine and the Federal Power Commission, and that notice of said hearing shall be given to all other persons by publication of this notice and order in the FEDERAL REGISTER, and by general release of this Commission which shall be distributed to the press and mailed to the mailing list for releases under the Public Utility Holding Company Act of 1935.

By the Commission.

[SEAL]

ORVAL L. DuBOIS,
Secretary.

[F. R. Doc. 48-5736; Filed, June 25, 1948;
8:51 a. m.]

[File No. 812-553]

RAILWAY AND LIGHT SECURITIES CO., AND PERMANENTE METALS CORP.

NOTICE OF APPLICATION

At a regular session of the Securities and Exchange Commission held at its office in the city of Washington, D. C., on the 22d day of June A. D. 1948.

Railway and Light Securities Company (hereinafter called "Applicant"), a registered investment company, has filed an application pursuant to section 10 (f) of the Investment Company Act of 1940 for an order of the Commission exempting from the provisions of said section 10 (f) of the act a proposed purchase by Applicant of 7,000 shares of the common stock of The Permanente Metals Corporation (hereinafter called "Permanente") to be publicly offered in the near future. Permanente, whose principal executive office is located in Oakland, California, is engaged in the business of producing and selling aluminum products primarily in the form of sheet.

Among its seven directors, Applicant has three directors, Messrs. Stedman Buttrick, Russell Robb and James H. Orr, who are affiliated persons of investment banking organizations which participate in the underwriting of securities. Stedman Buttrick is a partner of Estabrook & Co., Russell Robb is a director of Stone & Webster, Incorporated, of which Stone & Webster Securities Corporation is a subsidiary; and James H. Orr is a director of The First Boston Corporation. Applicant is informed that The First Boston Corporation expects to head a group of underwriters of 600,000 shares of common stock of Permanente, shortly to be offered to the public. Applicant has no knowledge as to whether Estabrook & Co. or Stone & Webster Securities Corporation will be included in the underwriting group or in the selling group which may be formed. The board of directors of

Applicant has authorized the purchase by Applicant, at the initial public offering price, of not exceeding 7,000 shares of such common stock, such purchase to be made of an underwriter or member of a selling group, if any, other than The First Boston Corporation (or Estabrook & Co. or Stone & Webster Securities Corporation, if either should be a principal underwriter or a member of any selling group) Messrs. Buttrick, Robb and Orr, the affiliated directors, did not vote in connection with the authorization.

Section 10 (f) of the act provides, among other things, that no registered investment company shall knowingly purchase or otherwise acquire, during the existence of any underwriting or selling syndicate, any security (except a security of which such company is the issuer) a principal underwriter of which is a person of which a director of such registered investment company is an affiliated person. Section 10 (f) further provides that the Commission by order upon application may conditionally or unconditionally exempt any such purchase or acquisition from the provisions of the section if and to the extent that such exemption is consistent with the protection of investors. Applicant has therefore filed the instant application for an order of the Commission exempting the proposed purchase from the provisions of section 10 (f).

The application states that if Applicant were to purchase the entire 7,000 shares it would acquire approximately 1.2% of the total offering, and that assuming a price of \$17.50 per share the purchase would represent an investment of approximately 1.1% of the total assets of the Applicant as of May 31, 1948.

All interested persons are referred to said application which is on file in the offices of the Commission for a more detailed statement of the proposed transaction and the matters of fact and law asserted.

Notice is further given that an order granting the application may be issued by the Commission on or at any time after June 29, 1948 upon such conditions as the Commission may deem necessary or appropriate unless prior thereto a hearing upon the application is ordered by this Commission, as provided in Rule N-5 of the rules and regulations promulgated under the act. Any interested person may submit to the Commission, in writing, not later than June 28, 1948, at 5:30 p. m., his views or any additional facts bearing upon the application or the desirability of a hearing thereon, or a request to the Commission that a hearing be held thereon. Any such communication or request should state briefly the nature of the interest of the person submitting such information or requesting a hearing, the reasons for such request, and the issues of fact or law raised by the application which he desires to controvert. Any such communication or request should be addressed: Secretary, Securities and Exchange Commission, 425 Second Street NW., Washington 25, D. C.

By the Commission.

[SEAL]

ORVAL L. DuBOIS,
Secretary.

[F. R. Doc. 48-5723; Filed, June 25, 1948;
8:59 a. m.]

BURLEY & Co.**ORDER PERMITTING REGISTRATION TO BECOME EFFECTIVE**

At a regular session of the Securities and Exchange Commission, held at its office in the city of Washington, D. C., on the 21st day of June A. D. 1948.

In the matter of Burley & Co., 120 Broadway, New York, New York.

Chester C. Burley, Sr. and Albert W. Burley, co-partners trading as Burley & Co., having filed an application for registration as a broker and dealer pursuant to section 15 (b) of the Securities Exchange Act of 1934;

Proceedings having been instituted to determine whether it is in the public interest to deny such registration; a hearing having been held after appropriate notice; the Commission being advised in the premises and having this day issued its findings and opinion; on the basis of said findings and opinion:

It is ordered, That registration of Chester C. Burley, Sr. and Albert W. Burley, co-partners trading as Burley & Co., be and it hereby is permitted to become effective.

By the Commission.

[SEAL] ORVAL L. DuBOIS,
Secretary.

[F. R. Doc. 48-5735; Filed, June 25, 1948;
8:51 a. m.]

UNITED STATES MARITIME COMMISSION

SALE OF VESSELS CONTAINING VARIOUS VALUABLE MATERIALS, INCLUDING SALE OF "S. S. LEONARD WOOD" TO CONSOLIDATED BUILDERS, INC., PORTLAND, OREG., AND SIMILAR TRANSACTIONS

NOTICE OF INVESTIGATION

Notice is hereby given that the Commission will conduct an investigation into all the surrounding facts and circumstances in connection with the sale of the S. S. *Leonard Wood* to the Consolidated Builders, Inc., Portland, Oregon, and similar transactions in accordance with an order of the Commission which reads as follows:

UNITED STATES MARITIME COMMISSION

WASHINGTON, D. C.

ORDER

Whereas, the Commission has been informed that in connection with the sale of the vessel "*Leonard Wood*" for purposes of scrapping, upon the basis of competitive bidding, as the result of which Consolidated Builders, Inc., of Portland, Oregon, was awarded the said vessel and became the purchaser thereof, said vessel contained a large quantity of lead ingots of high value, the existence of which was unknown to the Commission by reason of having been contained in the double bottom of said vessel; and

Whereas, the Commission has been informed that other instances have occurred or may occur of vessels being sold with materials of high value contained therein and not readily discoverable; and

Whereas, the Commission is of the opinion that, in connection with the sale of vessels under the various statutes administered by it, certain changes in procedures and practices may be advisable, and that in order to facili-

tate such changes and properly to administer the provisions of the Merchant Marine Act, 1936, as amended, and other statutes under the jurisdiction of the Commission, the facts and circumstances surrounding the sale of the vessel "*Leonard Wood*" to Consolidated Builders, Inc. and any other transactions of the same nature, should be the subject of investigation; and

Whereas, the Commission is of the opinion that such investigation is necessary and proper in carrying out the provisions of said statutes;

Ordered, That an investigation be hereby entered into pursuant to the provisions of Section 214 (a) of the Merchant Marine Act, 1936, as amended, with respect to the transaction or transactions set forth in the preamble hereof;

Further ordered, That Thomas E. Stakem, Jr., is hereby designated to conduct such investigation and is empowered to subpoena witnesses, administer oaths and affirmations, take evidence, and require the production of any books, papers, or documents which are relevant or material to the matter under investigation;

Further ordered, That this investigation shall proceed with the utmost dispatch, at such time and at such place as the said Thomas E. Stakem, Jr., shall determine;

Further ordered, That in the event any person fails to obey the subpoena issued by said designated person, such failure shall be reported to the Commission, which may thereupon invoke the aid of the courts as provided in Section 214 (b) of the Merchant Marine Act, 1936, as amended;

Further ordered, That a copy hereof shall be published in the FEDERAL REGISTER.

Dated: June 22, 1948.

By the Commission.

A. J. WILLIAMS,
Secretary.

[F. R. Doc. 48-5790; Filed, June 25, 1948;
8:47 a. m.]

DEPARTMENT OF JUSTICE

Office of Alien Property

AUTHORITY: 40 Stat. 411, 55 Stat. 839, Pub. Laws 322, 671, 79th Cong., 60 Stat. 50, 925; 50 U. S. C. and Supp. App. 1, 616, E. O. 9193, July 6, 1942, 3 CFR, Cum. Supp., E. O. 9567, June 8, 1945, 3 CFR, 1945 Supp., E. O. 9788, Oct. 14, 1946, 11 F. R. 11981.

[Vesting Order 11388]

EILERT DEBUHR

In re: Estate of Eilert DeBuhr, deceased. File No. D-28-10819; E. T. sec. 15190.

Under the authority of the Trading With the Enemy Act, as amended, Executive Order 9193, as amended, and Executive Order 9788, and pursuant to law, after investigation, it is hereby found:

1. That Gerhard DeBuhr and Gebina DeBuhr, whose last known address is Germany, are residents of Germany and nationals of a designated enemy country (Germany)

2. That all right, title, interest and claim of any kind or character whatsoever of the persons named in subparagraph 1 hereof in and to the Estate of Eilert DeBuhr, deceased, is property payable or deliverable to, or claimed by, the aforesaid nationals of a designated enemy country (Germany)

3. That such property is in the process of administration by Hazel Jacobson,

as administratrix, acting under the judicial supervision of the District Court of Pocahontas County, Iowa;

and it is hereby determined:

4. That to the extent that the persons named in subparagraph 1 hereof are not within a designated enemy country, the national interest of the United States requires that such persons be treated as nationals of a designated enemy country (Germany)

All determinations and all action required by law, including appropriate consultation and certification, having been made and taken, and, it being deemed necessary in the national interest,

There is hereby vested in the Attorney General of the United States the property described above, to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of Executive Order 9193, as amended.

Executed at Washington, D. C., on June 10, 1948.

For the Attorney General.

[SEAL] DAVID L. BAZELON,
Assistant Attorney General,
Director Office of Alien Property.

[F. R. Doc. 48-5753; Filed, June 23, 1948;
8:50 a. m.]

[Vesting Order 500A-223]

COPYRIGHTS OF CERTAIN GERMAN NATIONALS

Under the authority of the Trading with the Enemy Act, as amended, Executive Order 9193, as amended, and Executive Order 9786, and pursuant to law, after investigation, it is hereby found:

1. That the persons (including individuals, partnerships, associations, corporations or other business organizations) referred to or named in Column 5 of Exhibit A attached hereto and made a part hereof and whose last known addresses are listed in said Exhibit A as being in a foreign country (the names of which persons are listed (a) in Column 3 of said Exhibit A as the authors of the works, the titles of which are listed in Column 2, and the copyright numbers, if any, of which are listed in Column 1, respectively of said Exhibit A, and/or (b) in Column 4 of said Exhibit A as the owners of the copyrights, the numbers, if any, of which are listed in Column 1, and covering works the titles of which are listed in Column 2, respectively, of said Exhibit A, and/or (c) in Column 5 of said Exhibit A as others owning or claiming interests in such copyrights) are residents of, or are organized under the laws of, or have their principal places of business in, such foreign country and are nationals thereof;

2. That all right, title, interest and claim of whatsoever kind or nature, under the statutory and common law of the United States and of the several States thereof, of the persons referred to in Column 5 of said Exhibit A, and also

of all other persons (including individuals, partnerships, associations, corporations or other business organizations) whether or not named elsewhere in this Order including said Exhibit A, who are residents of, or which are organized under the laws of or have their principal places of business in, Germany or Japan, and are nationals of such foreign countries, in, to and under the following:

a. The copyrights, if any, described in said Exhibit A,

b. Every copyright, claim of copyright and right to copyright in the works described in said Exhibit A and in every issue, edition, publication, republication, translation, arrangement, dramatization and revision thereof, in whole or in part, of whatsoever kind or nature, and of all other works designated by the titles therein set forth, whether or not filed with the Register of Copyrights or otherwise asserted, and whether or not specifically designated by copyright number,

c. Every license, agreement, privilege, power and right of whatsoever nature

arising under or with respect to the foregoing,

d. All monies and amounts, and all rights to receive monies and amounts, by way of royalty, share of profits or other emolument, accrued or to accrue, whether arising pursuant to law, contract or otherwise, with respect to the foregoing,

e. All rights of renewal, reversion or re-vesting, if any, in the foregoing, and

f. All causes of action accrued or to accrue at law or in equity with respect to the foregoing, including but not limited to the rights to sue for and recover all damages and profits and to request and receive the benefits of all remedies provided by common law or statute for the infringement of any copyright or the violation of any right or the breach of any obligation described in or affecting the foregoing,

is property of, and is property payable or held with respect to copyrights or rights related thereto in which interests are held by, and such property itself con-

stitutes interests held therein by, the aforesaid nationals of foreign countries.

All determinations and all action required by law, including appropriate consultation and certification, having been made and taken, and, it being deemed necessary in the national interest,

There is hereby vested in the Attorney General of the United States the property described in subparagraph 2 hereof, to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States.

The term "national" as used herein shall have the meaning prescribed in section 10 of Executive Order 9193, as amended.

Executed at Washington, D. C., on December 9, 1947.

For the Attorney General.

[SEAL] DAVID L. BAZELON,
Assistant Attorney General,
Director Office of Alien Property.

EXHIBIT A

| Column 1 | Column 2 | Column 3 | Column 4 | Column 5 |
|----------------|--|--|--|---|
| Copyright Nos. | Titles of works | Names and last known nationalities of authors | Names and last known addresses of owners of copyrights | Identified persons whose interests are being vested |
| Unknown | Gesang der Welt. Gedichte, Tagebuchblätter und Briefe. 1927. | Gerrit Engelke (nationality not established). | Arbeiterjugendverlag, Berlin, Germany (nationality German). | Owner. |
| Do. | Gesamtausgabe der Werke. 1927-34. | Stefan George (nationality not established). | Georg Hardt, Berlin, Germany (nationality German). | Do. |
| Do. | Herz. Auf glühe dein Blut: Gedichte im Kriege. 1916. | Heinrich Lorch (nationality not established). | Eugen Diederichs Verlag, Jena, Germany (nationality German). | Do. |
| Do. | Menschheitsdämmerung, Symphonie jünger Dichtung. 1920. | Kurt Pinthus (editor) (nationality not established). | Ernst Rowohlt Verlag, Berlin, Germany (nationality German). | Do. |
| Do. | Gesammelte Werke. 1930. | Rainer Maria Rilke (nationality not established). | Insel-Verlag, Leipzig, Germany (nationality German). | Do. |
| Do. | Kriegsbriefe gefallener deutscher Juden. 1935. | Reichsbund jüdischer Frontsoldaten (editor) (nationality not established). | E. V. Vertrupp Verlag, Berlin, Germany (nationality German). | Do. |

[F. R. Doc. 48-5697; Filed, June 24, 1948; 8:53 a. m.]

[Vesting Order 11390]

LILLIE B. HARTLEY

In re: Estate of Lillie B. Hartley, deceased. File No. D-28-11979; E. T. sec. 16153.

Under the authority of the Trading With the Enemy Act, as amended, Executive Order 9193, as amended, and Executive Order 9788, and pursuant to law, after investigation, it is hereby found:

1. That Mezza Wood Arnold, whose last known address is Germany, is a resident of Germany and a national of a designated enemy country (Germany)

2. That the sum of \$115 was paid to the Attorney General of the United States by Boyd I. Neher, Administrator of the Estate of Lillie B. Hartley, deceased;

3. That the sum of \$115 was accepted by the Attorney General of the United States on April 22, 1948, pursuant to the Trading With the Enemy Act, as amended;

4. That the said sum of \$115 is presently in the possession of the Attorney General of the United States and was property within the United States owned or controlled by, payable or deliverable to, held on behalf of or on account of, or

owing to, or which was evidence of ownership or control by, the aforesaid national of a designated enemy country (Germany)

and it is hereby determined:

5. That to the extent that the person named in subparagraph 1 hereof is not within a designated enemy country, the national interest of the United States requires that such person be treated as a national of a designated enemy country (Germany)

All determinations and all action required by law, including appropriate consultation and certification, having been made and taken, and it being deemed necessary in the national interest,

There is hereby vested in the Attorney General of the United States the property described above, to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States.

This vesting order is issued nunc pro tunc to confirm the vesting of the said property by acceptance as aforesaid.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of Executive Order 9193, as amended.

Executed at Washington, D. C., on June 10, 1948.

For the Attorney General.

[SEAL] DAVID L. BAZELON,
Assistant Attorney General,
Director Office of Alien Property.

[F. R. Doc. 48-5764; Filed, June 25, 1948; 8:50 a. m.]

[Vesting Order 11404]

JOHN W. ONCKEN

In re: Estate of John W. Oncken, deceased. File D-28-9837; E. T. sec. 13876.

Under the authority of the Trading With the Enemy Act, as amended, Executive Order 9193, as amended, and Executive Order 9788, and pursuant to law, after investigation, it is hereby found:

1. That Heinrich Oncken, Gerhard Oncken, Martha Peters, Alma Gerken and Marthilda Girth, whose last known address is Germany, are residents of Germany and nationals of a designated enemy country (Germany)

2. That all right, title, interest and claim of any kind or character whatso-

NOTICES

ever of the persons named in subparagraph 1 hereof in and to the Estate of John W Oncken, deceased, is property payable or deliverable to, or claimed by, the aforesaid nationals of a designated enemy country (Germany)

3. That such property is in the process of administration by Peter W Oncken, as administrator, acting under the judicial supervision of the District Court of the State of Iowa, in and for the County of Clinton;

and it is hereby determined:

4. That to the extent that the persons named in subparagraph 1 hereof are not within a designated enemy country, the national interest of the United States requires that such persons be treated as nationals of a designated enemy country (Germany)

All determinations and all action required by law, including appropriate consultation and certification, having been made and taken, and, it being deemed necessary in the national interest,

There is hereby vested in the Attorney General of the United States the property described above, to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of Executive Order 9193, as amended.

Executed at Washington, D. C., on June 10, 1948.

For the Attorney General.

[SEAL] DAVID L. BAZELON,
Assistant Attorney General,
Director Office of Alien Property.

[F. R. Doc. 48-5755; Filed, June 25, 1948;
8:50 a. m.]

[Vesting Order 11435]

ROBERT AND MADLON SCHARSICH

In re: Stock owned by Robert and Madlon Scharisch. F-28-28053-D-1.

Under the authority of the Trading With the Enemy Act, as amended, Executive Order 9193, as amended, and Executive Order 9788, and pursuant to law, after investigation, it is hereby found:

1. That Robert and Madlon Scharisch, whose last known address is Meuschelstrasse No. 65, Nurnberg, Germany, are residents of Germany and nationals of a designated enemy country (Germany)

2. That the property described as follows: Ten (10) shares of no par value capital stock of The Meyercoed Co., 5323 West Lake Street, Chicago, Illinois, a corporation organized under the laws of the State of Illinois, evidenced by certificates numbered 200, 201, 202, 203 and 204, for two (2) shares each, registered in the name of Robert and/or Madlon Scharisch, together with all declared and unpaid dividends and any stock dividends thereon, and any rights, under a capital reorganization of the Meyercoed Co., to new common \$5.00 par value stock,

is property within the United States owned or controlled by, payable or deliverable to, held on behalf of or on ac-

count of, or owing to, or which is evidence of ownership or control by, the aforesaid nationals of a designated enemy country (Germany)

and it is hereby determined:

3. That to the extent that the persons named in subparagraph 1 hereof are not within a designated enemy country, the national interest of the United States requires that such persons be treated as nationals of a designated enemy country (Germany)

All determinations and all action required by law, including appropriate consultation and certification, having been made and taken, and, it being deemed necessary in the national interest,

There is hereby vested in the Attorney General of the United States the property described above, to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of Executive Order 9193, as amended.

Executed at Washington, D. C., on June 10, 1948.

For the Attorney General.

[SEAL] DAVID L. BAZELON,
Assistant Attorney General,
Director Office of Alien Property.

[F. R. Doc. 48-5756; Filed, June 25, 1948;
8:50 a. m.]

[Vesting Order 500A-221]

COPYRIGHTS OF CERTAIN GERMAN NATIONALS

Under the authority of the Trading With the Enemy Act, as amended, Executive Order 9193, as amended, and Executive Order 9788, and pursuant to law, after investigation, it is hereby found:

1. That the persons (including individuals, partnerships, associations, corporations or other business organizations) referred to or named in Column 5 of Exhibit A attached hereto and made a part hereof and whose last known addresses are listed in said Exhibit A as being in a foreign country (the names of which persons are listed (a) in Column 3 of said Exhibit A as the authors of the works, the titles of which are listed in Column 2, and the copyright numbers, if any, of which are listed in Column 1, respectively, of said Exhibit A, and/or (b) in Column 4 of said Exhibit A as the owners of the copyrights, the numbers, if any, of which are listed in Column 1, and covering works the titles of which are listed in Column 2, respectively, of said Exhibit A, and/or (c) in Column 5 of said Exhibit A as others owning or claiming interests in such copyrights) are residents of, or are organized under the laws of, or have their principal places of business in, such foreign country and are nationals thereof;

2. That all right, title, interest and claim of whatsoever kind or nature, under the statutory and common law of the United States and of the several States thereof, of the persons referred to in Column 5 of said Exhibit A, and also

of all other persons (including individuals, partnerships, associations, corporations or other business organizations) whether or not named elsewhere in this Order including said Exhibit A, who are residents of, or which are organized under the laws of or have their principal places of business in, Germany or Japan, and are nationals of such foreign countries, in, to and under the following:

a. The copyrights, if any, described in said Exhibit A,

b. Every copyright, claim of copyright and right to copyright in the works described in said Exhibit A and in every issue, edition, publication, republication, translation, arrangement, dramatization and revision thereof, in whole or in part, of whatsoever kind or nature, and of all other works designated by the titles therein set forth, whether or not filed with the Register of Copyrights or otherwise asserted, and whether or not specifically designated by copyright number,

c. Every license, agreement, privilege, power and right of whatsoever nature arising under or with respect to the foregoing,

d. All monies and amounts, and all rights to receive monies and amounts, by way of royalty, share of profits or other emolument, accrued or to accrue, whether arising pursuant to law, contract or otherwise, with respect to the foregoing,

e. All rights of renewal, reversion or reversioning, if any, in the foregoing, and

f. All causes of action accrued or to accrue at law or in equity with respect to the foregoing, including but not limited to the rights to sue for and recover all damages and profits and to request and receive the benefit of all remedies provided by common law or statute for the infringement of any copyright or the violation of any right or the breach of any obligation described in or affecting the foregoing,

is property of, and is property payable or held with respect to copyrights or rights related thereto in which interests are held by, and such property itself constitutes interests held therein by, the aforesaid nationals of foreign countries.

All determinations and all action required by law, including appropriate consultation and certification, having been made and taken, and, it being deemed necessary in the national interest,

There is hereby vested in the Attorney General of the United States the property described in subparagraph 2 hereof, to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States.

The term "national" as used herein shall have the meaning prescribed in section 10 of Executive Order 9193, as amended.

Executed at Washington, D. C., on December 9, 1947.

For the Attorney General.

[SEAL] DAVID L. BAZELON,
Assistant Attorney General,
Director, Office of Alien Property.

EXHIBIT A

| Column 1 | Column 2 | Column 3 | Column 4 | Column 5 |
|-----------------|---|--|---|---|
| Copyright Nos. | Titles of works | Names and last known nationalities of authors | Names and last known addresses of owners of copyrights | Identified persons whose interests are being vested |
| Unknown | Franz Liszt 1811-1886, Sein Leben in Bildern. 1936. | Denes von Bartha (nationality not established). | Bibliographisches Institut, A. G., Leipzig, Germany (nationality German). | Owner. |
| Do | Sperrfeuer um Deutschland. 1929. | Werner Baumelberg (nationality not established). | Gerhard Stalling, Ollenburg, Germany (nationality German). | Do. |
| Do | Vorlesungen ueber Algebra. 1933. (Fifth Edition). | Ludwig Bieberbach (nationality not established). | B. G. Teubner, Leipzig, Germany (nationality German). | Do. |
| Do | Erlebtes Leben. c 1927. (1928). | Rudolf Binding (nationality not established). | Rütten und Loening Verlag, Frankfurt am Main, Germany (nationality German). | Do. |
| Do | Hugo Wolf 1860-1903, Sein Leben in Bildern. 1937. | Alfred von Ehrmann (nationality not established). | Bibliographisches Institut, A. G., Leipzig, Germany (nationality German). | Do. |
| Do | Rhythmus des neuen Europa. Gedichte. 1921. | Gerrit Engelke (nationality not established). | Eugen Dietrichs Verlag, Jena, Germany (nationality German). | Do. |
| Do | Lehrbuch der Algebra. First edition. Three volumes (1924-28). | Robert Frische (nationality not established). | F. Vieweg und Sohn, Braunschweig, Germany (nationality German). | Do. |
| Do | Reelle Funktionen. First edition. 1932. | Hans Hahn (nationality not established). | Akademische Verlagsgesellschaft, Leipzig, Germany (nationality German). | Do. |
| Do | Dichtungen. 1922. | Georg Heym (nationality not established). | Kurt Wolf Verlag, München, Germany (nationality German). | Do. |
| Do | Der deutsche Soldat, Briefe aus dem Weltkrieg, Vermächtnis. 1937. | Rudolf Hoffmann (editor) (nationality not established). | Verlag Albert Langen, Georg Müller, München, Germany (nationality German). | Do. |
| Do | Das abenteuerliche Herz. 1929. | Ernst Jünger (nationality not established). | Frankfurt Verlag, Berlin, Germany (nationality German). | Do. |
| Do | In Stahlgewittern: Aus dem Tagebuch eines Stosstruppenführers. 10 Auflage. c 1923 (1929). | do. | Verlag Mittler und Sohn, Berlin, Germany (nationality German). | Do. |
| Do | Der Kampf als inneres Erlebnis. c 1923 (1936). | do. | do. | Do. |
| Do | Schreib das auf, Kisch. 1930. | Egon Erwin Kisch (nationality not established). | Erich Reiss Verlag, Berlin, Germany (nationality German). | Do. |
| Do | Briefe, Aufzeichnungen und Aphorismen. 1920. | Franz Marc (nationality not established). | Paul Cassirer Verlag, Berlin, Germany (nationality German). | Do. |
| Do | Stirb und werde. Aus Briefen und Tagebuchblättern. 1931. | Bernhard von der Marwitz (nationality not established). | W. G. Korn Verlag, Braunschweig, Germany (nationality German). | Do. |
| Do | Anton Bruckner 1824-96, Sein Leben in Bildern. 1936. | Alfred Orel (nationality not established). | Bibliographisches Institut, A. G., Leipzig, Germany (nationality German). | Do. |
| Do | Irrationalzahlen. Second edition. 1933. | Oskar Perron (nationality not established). | Walter de Gruyter & Co., Berlin, Germany (nationality German). | Do. |
| Do | Die Lehre von den Kettenbrüchen. 1929. (Second edition). | do. | B. G. Teubner, Leipzig, Germany (nationality German). | Do. |
| Do | Fouriersche Reihen. (From the series: Sammlung Göschen). First edition. 1933. | Werner Rogosinski (nationality not established). | Walter de Gruyter & Co., Berlin, Germany (nationality German). | Do. |
| Do | Praxis der Gleichungen. Second edition. 1921. | Carl Runge (nationality not established). | Walter de Gruyter & Co., Berlin, Germany (nationality German). | Do. |
| Do | Einführung in die Theorie der Differentialgleichungen mit einer unabhängigen Variablen. Third edition. 1922. | Ludwig Schlesinger (nationality not established). | Walter de Gruyter & Co., Berlin, Germany (nationality German). | Do. |
| A. Foreign 5377 | Schopenhauer'sche Kritik des Krieges. In: Krieg und Krieger. 1930. | Wilhelm von Schramm (author) and Ernst Jünger, (editor) (nationalities not established). | Junker und Dünhaupt Verlag, Berlin, Germany (nationality German). | Do. |
| Unknown | Wörterbuch der Spanischen und Deutschen Sprache, vol. I, Spanisch. Deutsch, by Rudolf J. Slaby, 1932; vol. II, Deutsch-Spanisch, by Rudolf Grassmann. 1932. | Rudolf J. Slaby und Rudolf Grassmann (nationalities not established). | Bernhard Tauchnitz, Leipzig, Germany (nationality German). | Do. |
| Do | Wolfgang Amadeus Mozart 1756-1791, Sein Leben in Bildern, 1935. | Dr. Roland Tenschert (nationality not established). | Bibliographisches Institut, A. G., Leipzig, Germany (nationality German). | Do. |
| Do | Neuere Methoden der Präparativen organischen Chemie I. Zweite, unveränderte Auflage, 1944. | Unknown. | Verlag Chemie, G. m. b. H., Berlin W35, Germany (nationality German). | Do. |
| Do | Kriegsbriefe gefallener Studenten. c 1928 (1929). | Philipp Witkop (editor) (nationality not established). | Verlag Albert Langen, Georg Müller, München, Germany (nationality German). | Do. |
| Do | Lehrbuch der Gruppentheorie. First edition. 1937. | H. Zassenhaus (nationality not established). | B. G. Teubner, Leipzig, Germany (nationality German). | Do. |

[F. R. Doc. 48-5636; Filed, June 24, 1948; 8:53 a. m.]

[Vesting Order 500A-224]

COPYRIGHTS OF CERTAIN GERMAN NATIONALS

Under the authority of the Trading with the Enemy Act, as amended, Executive Order 9193, as amended, and Executive Order 9788, and pursuant to law, after investigation, it is hereby found:

1. That the persons (including individuals, partnerships, associations, corporations or other business organizations) referred to or named in Column 5 of Exhibit A attached hereto and made a part hereof and whose last known addresses are listed in said Exhibit A as being in a foreign country (the names of which persons are listed (a) in Column 3 of said Exhibit A as the authors of the works, the titles of which are listed in Column 2, and the copyright numbers,

if any, of which are listed in Column 1, respectively, of said Exhibit A, and/or (b) in Column 4 of said Exhibit A as the owners of the copyrights, the numbers, if any, of which are listed in Column 1, and covering works the titles of which are listed in Column 2, respectively, of said Exhibit A, and/or (c) in Column 5 of said Exhibit A as others owning or claiming interests in such copyrights) are residents of, or are organized under the laws of, or have their principal places of business in, such foreign country and are nationals thereof;

2. That all right, title, interest and claim of whatsoever kind or nature, under the statutory and common law of the United States and of the several States thereof, of the persons referred to in Column 5 of said Exhibit A, and also of all other persons (including in-

dividuals, partnerships, associations, corporations or other business organizations), whether or not named elsewhere in this Order including said Exhibit A, who are residents of, or which are organized under the laws of or have their principal places of business in, Germany or Japan, and are nationals of such foreign countries, in, to and under the following:

a. The copyrights, if any, described in said Exhibit A.

b. Every copyright, claim of copyright and right to copyright in the works described in said Exhibit A and in every issue, edition, publication, republication, translation, arrangement, dramatization and revision thereof, in whole or in part, of whatsoever kind or nature, and of all other works designated by the titles therein set forth, whether or not filed

with the Register of Copyrights or otherwise asserted, and whether or not specifically designated by copyright number,

c. Every license, agreement, privilege, power and right of whatsoever nature arising under or with respect to the foregoing,

d. All monies and amounts, and all rights to receive monies and amounts, by way of royalty, share of profits or other emolument, accrued or to accrue, whether arising pursuant to law, contract or otherwise, with respect to the foregoing,

e. All rights of renewal, reversion or reversioning, if any, in the foregoing, and

f. All causes of action accrued or to accrue at law or in equity with respect to the foregoing, including but not limited

to the rights to sue for and recover all damages and profits and to request and receive the benefits of all remedies provided by common law or statute for the infringement of any copyright or the violation of any right or the breach of any obligation described in or affecting the foregoing.

is property of, and is property payable or held with respect to copyrights or rights related thereto in which interests are held by, and such property itself constitutes interests held therein by, the aforesaid nationals of foreign countries.

All determinations and all action required by law, including appropriate consultation and certification, having been made and taken, and, it being deemed necessary in the national interest,

There is hereby vested in the Attorney General of the United States the property described in subparagraph 2 hereof, to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States.

The term "national" as used herein shall have the meaning prescribed in section 10 of Executive Order 9193, as amended.

Executed at Washington, D. C., on January 9, 1948.

For the Attorney General.

[SEAL] DAVID L. BAZELON,
Assistant Attorney General,
Director Office of Alien Property.

EXHIBIT A

| Column 1 | Column 2 | Column 3 | Column 4 | Column 5 |
|----------------|---|--|--|---|
| Copyright Nos. | Titles of works | Names and last known nationalities of authors | Names and last known addresses of owners of copyrights | Identified persons whose interests are being vested |
| Unknown----- | Zeitschrift für physiologische Chemie. 1899 (periodical). | A. Kessel, Editor, Marburg, Germany (nationality German). | Karl J. Trübner, Strassburg, Germany (nationality German). | Editor and owner. |
| Do----- | Friedrich oder die grosse Koalition. 1915----- | Thomas Mann (United States citizen)---- | S. Fischer Verlag, Berlin, Germany (nationality German). | Do. |
| Do----- | Archiv für die gesamte Physiologie des Menschen und der Tiere. 1908 (periodical). | E. F. W. Pflüger (nationality not established). | Martin Hager, Bonn, Germany (nationality German). | Do. |
| Do----- | Variationsrechnung im Grosse. Mit 25 Abbildungen. (Theorie von Marston Morse). First edition. 1938. | Herbert Seifert and William Threlfall (nationalities not established). | B. G. Teubner, Leipzig und Berlin, Germany (nationality German). | Do. |
| Do----- | Allgemeines Lexicon der bildenden Künstler. 1907-1911. Vols. 1-5. | Ulrich Thieme (editor) (nationality not established). | Seemann, Leipzig, Germany (nationality German). | Do. |
| Do----- | Schwermetalle als Wirkungsgruppen von Fermenten. 1946. | Otto Warburg (nationality not established). | Verlag Dr. Werner Saenger, Berlin, Germany (nationality German). | Do. |

[F. R. Doc. 48-5699; Filed, June 24, 1948; 8:53 a. m.]

[Vesting Order 500A-223]

COPYRIGHTS OF CERTAIN GERMAN NATIONALS

Under the authority of the Trading With the Enemy Act, as amended, Executive Order 9193, as amended, and Executive Order 9788, and pursuant to law, after investigation, it is hereby found:

1. That the persons (including individuals, partnerships, associations, corporations or other business organizations) referred to or named in Column 5 of Exhibit A attached hereto and made a part hereof and whose last known addresses are listed in said Exhibit A as being in a foreign country (the names of which persons are listed (a) in Column 3 of said Exhibit A as the authors of the works, the titles of which are listed in Column 2, and the copyright numbers, if any, of which are listed in Column 1, respectively, of said Exhibit A, and/or (b) in Column 4 of said Exhibit A as the owners of the copyrights, the numbers, if any, of which are listed in Column 1, and covering works the titles of which are listed in Column 2, respectively, of said Exhibit A, and/or (c) in Column 5 of said Exhibit A as others owning or claiming interests in such copyrights) are residents of, or are organized under the laws of, or have their principal places of business in, such foreign country and are nationals thereof;

2. That all right, title, interest and claim of whatsoever kind or nature, under the statutory and common law of the United States and of the several States thereof, of the persons referred to

in Column 5 of said Exhibit A, and also of all other persons (including individuals, partnerships, associations, corporations or other business organizations) whether or not named elsewhere in this Order including said Exhibit A, who are residents of, or which are organized under the laws or have their principal places of business in, Germany or Japan, and are nationals of such foreign countries, in, to and under the following:

a. The copyrights, if any, described in said Exhibit A,

b. Every copyright, claim of copyright and right to copyright in the works described in said Exhibit A and in every issue, edition, publication, republication, translation, arrangement, dramatization and revision thereof, in whole or in part, of whatsoever kind or nature, and of all other works designated by the titles therein set forth, whether or not filed with the Register of Copyrights or otherwise asserted, and whether or not specifically designated by copyright number,

c. Every license, agreement, privilege, power and right of whatsoever nature arising under or with respect to the foregoing,

d. All monies and amounts, and all rights to receive monies and amounts, by way of royalty, share of profits or other emolument, accrued or to accrue, whether arising pursuant to law, contract or otherwise, with respect to the foregoing,

e. All rights of renewal, reversion or reversioning, if any, in the foregoing, and

f. All causes of action accrued or to accrue at law or in equity with respect to

the foregoing, including but not limited to the rights to sue for and recover all damages and profits and to request and receive the benefits of all remedies provided by common law or statute for the infringement of any copyright or the violation of any right or the breach of any obligation described in or affecting the foregoing.

is property of, and is property payable or held with respect to copyrights or rights related thereto in which interests are held by, and such property itself constitutes interests held therein by, the aforesaid nationals of foreign countries.

All determinations and all action required by law, including appropriate consultation and certification, having been made and taken, and, it being deemed necessary in the national interest,

There is hereby vested in the Attorney General of the United States the property described in subparagraph 2 hereof, to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States.

The term "national" as used herein shall have the meaning prescribed in section 10 of Executive Order 9193, as amended.

Executed at Washington, D. C., on January 9, 1948.

For the Attorney General.

[SEAL] DAVID L. BAZELON,
Assistant Attorney General,
Director Office of Alien Property.

EXHIBIT A

| Column 1 Copyright Nos. | Column 2 Titles of works | Column 3 Names and last known nationalities of authors | Column 4 Names and last known addresses of owners of copyrights | Column 5 Identified persons whose interests are being vested |
|----------------------------|---|--|--|---|
| Unknown | Und wir haben nichts dagegen getan. 1933. | Maxwell Anderson (United States citizen) and Harold Hiskerson (nationality not established). | S. Fischer, Berlin, Germany (nationality German). | Owner. |
| Do | Temperature and Living Matter. 1935. | J. Belshradek (nationality not established). | Gebriider Berntrager, Berlin, Germany (nationality German). | Do. |
| Do | Vorlesungen über Fouriersche Integrale. (Mathematik und ihre Anwendungen. Band 12.) First edition 1932. | Salomon Bochner (nationality not established). | Akademische Verlagsgesellschaft m.b.H., Leipzig, Germany (nationality German). | Do. |
| Do | Eigenwertprobleme und ihre numerische Behandlung. 1945. First Edition. (Mathematik und ihre Anwendungen. Band 19.) Allgemeine Wirtschafts-Geschichte. 1927. | Lothar Collatz (nationality not established). | do | Do. |
| A. For. 37933 | Zwischen Volk und Menschheit. Kriegstagebuch. 1919. | Helarich Cunnow (nationality not established). | J. H. W. Dietz, Nachfolger, Berlin, Germany (nationality German). | Do. |
| Unknown | Die optische Werkstatt. 1939. | Richard Dehmelt (nationality not established). | S. Fischer Verlag, Berlin, Germany (nationality German). | Do. |
| Do | Romansche Leuchter und Gefässe, Glassgefässe der Gotik. 1935. | Waldemar Ewald (nationality not established). | Gebriider Berntrager, Berlin, Germany (nationality German). | Do. |
| Do | Samoa. 1932. | Otto v. Falke und Erich Meyer (nationalities not established). | Deutscher Verein für Kunstwissenschaft, Berlin, Germany (nationality German). | Do. |
| A. For. 9701 | Hydraulik. 1939. | Robert J. Fisharty (United States citizen). | Reimar Hobbing, Berlin, Germany (nationality German). | Do. |
| Do | Wirtschaftsentwicklung und Landschaftswandel. 1938. | Philipp Ferchheimer (nationality not established). | B. O. Teubner, Leipzig and Berlin, Germany (nationality German). | Do. |
| Do | Die Frau im Hermelin. 1922. | Walter Oerling (nationality not established). | Verlag Carl Siebenmann, Freiburg i. Br., Germany (nationality German). | Do. |
| A. For. 5292 | Lehrbuch der Geophysik. 1923. | Jean Gilbert (nationality not established). | Drei Masken Verlag, Berlin, Germany (nationality German). | Do. |
| Unknown | Die Tortur. 1923. | Dr. Beno Gutenberg (nationality not established). | Gebriider Berntrager, Berlin, Germany (nationality German). | Do. |
| Do | Deutscher Gesamtkatalog. 1936 (periodical). | Franz Helbing (seud. David Hecht) and Max Bauer (nationalities not established). | Verlag bei Dr. P. Langenbuchelt, Berlin, Germany (nationality German). | Do. |
| Do | Medizin und Chemie. 1942 (periodical). | Herausgegeben von Der Preussischen Staatsbibliothek (nationality German). | Preussische Druckerei- und Verlags-Aktiengesellschaft, Berlin, Germany (nationality German). | Author and owner. |
| Do | Differentialgleichungen, Lösungsmethoden und Lösungen. Third edition. 1914. | Interessengemeinschaft Farbenindustriekollisionsgesellschaft (nationality German). | Verlag Chemie, G. m. b. H., Berlin, Germany (nationality German). | Do. |
| Do | Hydromechanische Probleme des Schiffsantriebs. 1940. | Erich Kamke (nationality not established). | Akademische Verlagsgesellschaft, Leipzig, Germany (nationality German). | Owner. |
| Do | Der Internationale Elektrische Energieverkehr in Europa. 1933. | G. Kempf (nationality not established). | R. Oldenbourg, München und Berlin, Germany (nationality German). | Do. |
| Do | Elektrowirtschaft. 1933. | Werner Klittler (nationality not established). | R. Oldenbourg, München und Berlin, Germany (nationality German). | Do. |
| A. For. 40217 | Jahrbuch 1936 der Lillenthal-Gesellschaft für Luftfahrtforschung. 1936 (periodical). | Franz Lawaczek (nationality not established). | I. F. Lehmanns Verlag, München, Germany (nationality German). | Do. |
| Unknown | Das Konzert, ein Führer durch die Geschichte des Musizierens in Bildern und Melodien. 1925. | Lillenthal-Gesellschaft für Luftfahrtforschung (nationality German). | R. Oldenbourg, München und Berlin, Germany (nationality German). | Author and owner. |
| Do | Die Sicherheit Indiens. Ein Jahrhundert englischer Weltpolitik. 1937. | Kathi Meyer (nationality not established). | J. Engelhans Nachf., Stuttgart, Germany (nationality German). | Owner. |
| Do | The Mammalian Red Cell and the Properties of Haemolysis systems. (Vol. 6 of Protozoan monographs.) 1934. | Hermann Oncken (nationality German). | G. Grote'sche Verlagsbuchhandlung, Berlin, Germany (nationality German). | Author and owner. |
| Do | Handbuch des Eisenhüttenwesens. 1923. | Erie Pender (nationality not established). | Gebriider Berntrager, Berlin, Germany (nationality German). | Owner. |
| Do | Die deutsche Eisenund Stahlwirtschaft im Dreijahresplan. 1939. | J. Puppe und G. Stauber (nationalities not established). | Verlag Stahlbau m. b. H., Düsseldorf, & Julius Springer, Berlin, Germany (nationalities German). | Do. |
| Do | Werke. 1937. | Paul Rheinlander (nationality not established). | Hunter und Dünnhaupt Verlag, Berlin, Germany (nationality German). | Do. |
| A. For. 42699 | Hagelversicherung und Schadensbeurteilung beim Rörmerma. 1938. | Samuel Scheldt (nationality not established). | Ugrino Verlag, Hamburg, Germany (nationality German). | Do. |
| Unknown | Menschen ohne Gott. 1923. | Otto Schlumberger (nationality not established). | Paul Parey, Berlin, Germany (nationality German). | Do. |
| Do | Deutsche Arbeit im Vierjahresplan. 1933. | Günter Tessmann (nationality not established). | Strecker und Schröder, Stuttgart, Germany (nationality German). | Do. |
| Do | Gesammelte Werke. Dritter Band. Novellen und Satiren II. 1932. | Achim Thiele und Kurt Goeltze (nationalities not established). | Gerhard Stalling, Oldenburg, Germany (nationality German). | Do. |
| Do | Französische Malerei des XVII Jahrhunderts. 1932. | Ludwig Thoma (nationality German). | Albert Langen, Georg Müller Verlag, München, Germany (nationality German). | Author and owner. |
| Do | Die Kunst des Barock. 1924. | Werner Weisbach (nationality not established). | Verlag Heinrich Keller, Berlin, Germany (nationality German). | Owner. |
| Do | Deutsche Kraftfahrtforschung im Auftrag des Reichs-Verkehrsministeriums. 1941. | Ralph Zorge von Montcauffel (nationality not established). | Propyläen-Verlag, G. m. b. H., Berlin, Germany (nationality German). | Do. |
| A. For. 15893 | Jedermann. Geschichte eines Namenlosen. c. 1932 (1931). | Ernst Wicchart (nationality German). | VDI-Verlag, G. m. b. H., Berlin, Germany (nationality German). | Do. |
| Unknown | Handbuch der Deutschen Aktiengesellschaften Begründet von Robert Thiele. | Founder: Robert Thiele (nationality German). | Albert Langen, Georg Müller Verlag, München, Germany (nationality German). | Author and owner. |
| Do | Jahrbuch 1933 der Deutschen Luftfahrtforschung Ergänzungsband. 1933 (periodical). | Unknown. | Verlag für Büchsen- und Finanzliteratur A. O. (nationality German). | Founder and owner. |
| A. For. 20016 | Jahrbuch der Hafenbautechnischen Gesellschaft. 1932 (periodical). | do | R. Oldenbourg, München und Berlin, Germany (nationality German). | Do. |
| Unknown | Die Werke Des Hippokrates. 1933. | do | VDI-Verlag G. m. b. H., Berlin, Germany (nationality German). | Do. |
| | | | Hippokrates-Verlag, G. m. b. H., Stuttgart-Leipzig, Germany (nationality German). | Do. |

[F. R. Doc. 48-5698; Filed, June 24, 1949; 8:53 a. m.]

[Vesting Order 500A-225]

COPYRIGHTS OF JULIUS SPRINGER, GERMAN NATIONAL

Under the authority of the Trading with the Enemy Act, as amended, Executive Order 9193, as amended, and Executive Order 9788, and pursuant to law, after investigation, it is hereby found:

1. That the persons (including individuals, partnerships, associations, corporations or other business organizations) referred to or named in Column 5 of Exhibit A attached hereto and made a part hereof and whose last known addresses are listed in said Exhibit A as being in a foreign country (the names of which persons are listed (a) in Column 3 of said Exhibit A as the authors of the works, the titles of which are listed in Column 2, and the copyright numbers, if any, of which are listed in Column 1, respectively, of said Exhibit A, and/or (b) in Column 4 of said Exhibit A as the owners of the copyrights, the numbers, if any, of which are listed in Column 1, and covering works the titles of which are listed in Column 2, respectively, of said Exhibit A, and/or (c) in Column 5 of said Exhibit A as others owning or claiming interests in such copyrights) are residents of, or are organized under the laws of, or have their principal places of business in, such foreign country and are nationals thereof;

2. That all right, title, interest and claim of whatsoever kind or nature, under the statutory and common law of the United States and of the several States thereof, of the persons referred

to in Column 5 of said Exhibit A, and also of all other persons (including individuals, partnerships, associations, corporations or other business organizations), whether or not named elsewhere in this Order including said Exhibit A, who are residents of, or which are organized under the laws of or have their principal places of business in, Germany or Japan, and are nationals of such foreign countries, in, to and under the following:

a. The copyrights, if any, described in said Exhibit A,

b. Every copyright, claim of copyright and right to copyright in the works described in said Exhibit A and in every issue, edition, publication, republication, translation, arrangement, dramatization and revision thereof, in whole or in part, of whatsoever kind or nature, and of all other works designated by the titles therein set forth, whether or not filed with the Register of Copyrights or otherwise asserted, and whether or not specifically designated by copyright number,

c. Every license, agreement, privilege, power and right of whatsoever nature arising under or with respect to the foregoing,

d. All monies and amounts, and all rights to receive monies and amounts, by way of royalty, share of profits or other emolument, accrued or to accrue, whether arising pursuant to law, contract or otherwise, with respect to the foregoing,

e. All rights of renewal, reversion or revesting, if any, in the foregoing, and

f. All causes of action accrued or to accrue at law or in equity with respect to the foregoing, including but not lim-

ited to the rights to sue for and recover all damages and profits and to request and receive the benefits of all remedies provided by common law or statute for the infringement of any copyright or the violation of any right or the breach of any obligation described in or affecting the foregoing,

is property of, and is property payable or held with respect to copyrights or rights related thereto in which interests are held by, and such property itself constitutes interests held therein by, the aforesaid nationals of foreign countries.

All determinations and all action required by law, including appropriate consultation and certification, having been made and taken, and, it being deemed necessary in the national interest,

There is hereby vested in the Attorney General of the United States the property described in subparagraph 2 hereof, to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States.

The term "national" as used herein shall have the meaning prescribed in section 10 of Executive Order 9193, as amended.

Executed at Washington, D. C., on January 9, 1948.

For the Attorney General.

[SEAL] DAVID L. BAZELON,
Assistant Attorney General,
Director, Office of Alien Property.

EXHIBIT A

| Column 1 Copyright Nos. | Column 2 Titles of works | Column 3 Names and last known nationalities of authors | Column 4 Names and last known addresses of owners of copyrights | Column 5 Identified persons whose interests are being vested |
|----------------------------|---|---|--|---|
| A. Foreign 18901..... | Knotentheorie. 1932. (Part of series: Ergebnisse der Mathematik und ihrer Grenzgebiete). Vol. 1, No. 1. | Kurt Reidemeister (nationality not established). | Julius Springer, Berlin, Germany (nationality German). | Owner. |
| A. Foreign 18904..... | Die Methoden zur angenäherten Lösung von Eigenwertproblem in der Elastostatik. 1932. (Part of series: Ergebnisse der Mathematik und ihrer Grenzgebiete). Vol. 1, No. 4. | H. Hohenemser (nationality not established). | do..... | Do. |
| A. Foreign 21286..... | Projektive Relativitätstheorie. 1933. (Part of series: Ergebnisse der Mathematik und Grenzgebiete). Vol. 2, No. 1. | Oswald Veblen (nationality not established). | do..... | Do. |
| A. Foreign 24313..... | Theorie der konvexen Körper. 1934. (Part of series: Ergebnisse der Mathematik und ihrer Grenzgebiete). Vol. 3, No. 1. | T. Bonnesen and W. Fenchel (nationalities not established). | do..... | Do. |
| A. Foreign 25071..... | Theorie der Funktionen mehrerer komplexer Veränderlichen. 1934. (Part of series: Ergebnisse der Mathematik und ihrer Grenzgebiete). Vol. 3, No. 3. | H. Behnke and P. Thullen (nationalities not established). | do..... | Do. |
| A. Foreign 26115..... | Mathematische Grundlagenforschung. Intuitionismus. Beweistheorie. 1934. (Part of series: Ergebnisse der Mathematik und ihrer Grenzgebiete). Vol. 3, No. 4. | Arend Heyting (nationality not established). | do..... | Do. |
| A. Foreign 30125..... | Algebren. 1935. (Part of series: Ergebnisse der Mathematik und ihrer Grenzgebiete). Vol. 4, No. 1. | Max Deuring (nationality not established). | do..... | Do. |
| A. Foreign 28504..... | Gruppen von linearen Transformationen. 1935. (Part of series: Ergebnisse der Mathematik und ihrer Grenzgebiete). Vol. 4, No. 2. | Barchel L. van der Waerden (nationality not established). | do..... | Do. |
| A. Foreign 32191..... | Idealtheorie. 1935. (Part of series: Ergebnisse der Mathematik und ihrer Grenzgebiete). Vol. 4, No. 3. | Wolfgang Krull (nationality not established). | do..... | Do. |
| Unknown..... | Diophantische Approximationen. 1936. (Part of series: Ergebnisse der Mathematik und ihrer Grenzgebiete). Vol. 4, No. 4. | J. F. Koksma (nationality not established). | do..... | Do. |
| A. Foreign 37975..... | Ergodentheorie. 1937. (Part of series: Ergebnisse der Mathematik und ihrer Grenzgebiete). Vol. No. 2. | Eberhard Hopf (nationality not established). | do..... | Do. |
| A. Foreign 40404..... | Diophantische Gleichungen. 1938. (Part of series: Ergebnisse der Mathematik und ihrer Grenzgebiete). Vol. 5 No. 4. | Thoralf Albert Skolem (nationality not established). | do..... | Do. |

[Vesting Order 500A-226]

COPYRIGHTS OF JULIUS SPRINGER, GERMAN NATIONAL

Under the authority of the Trading With the Enemy Act, as amended, Executive Order 9193, as amended, and Executive Order 9788, and pursuant to law, after investigation, it is hereby found:

1. That the persons (including individuals, partnerships, associations, corporations or other business organizations) referred to or named in Column 5 of Exhibit A attached hereto and made a part hereof and whose last known addresses are listed in said Exhibit A as being in a foreign country (the names of which persons are listed (a) in Column 3 of said Exhibit A as the authors of the works, the titles of which are listed in Column 2, and the copyright numbers, if any, of which are listed in Column 1, respectively, of said Exhibit A, and/or (b) in Column 4 of said Exhibit A as the owners of the copyrights, the numbers, if any, of which are listed in Column 1, and covering works the titles of which are listed in Column 2, respectively, of said Exhibit A, and/or (c) in Column 5 of said Exhibit A as others owning or claiming interests in such copyrights) are residents of, or are organized under the laws of, or have their principal places of business in, such foreign country and are nationals thereof;

2. That all right, title, interest and claim of whatsoever kind or nature, under the statutory and common law of the United States and of the several

States thereof, of the persons referred to in Column 5 of said Exhibit A, and also of all other persons (including individuals, partnerships, associations, corporations or other business organizations) whether or not named elsewhere in this order including said Exhibit A, who are residents of, or which are organized under the laws of or have their principal places of business in, Germany or Japan, and are nationals of such foreign countries, in, to and under the following:

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c. Every license, agreement, privilege, power and right of whatsoever nature arising under or with respect to the foregoing,

d. All monies and amounts, and all rights to receive monies and amounts, by way of royalty, share of profits or other emolument, accrued or to accrue, whether arising pursuant to law, contract or otherwise, with respect to the foregoing,

e. All rights of renewal, reversion or reversioning, if any, in the foregoing, and

f. All causes of action accrued or to accrue at law or in equity with respect to the foregoing, including but not limited to the rights to sue for and recover all damages and profits and to request and receive the benefits of all remedies provided by common law or statute for the infringement of any copyright or the violation of any right or the breach of any obligation described in or affecting the foregoing,

is property of, and is property payable or held with respect to copyrights or rights related thereto in which interests are held by, and such property itself constitutes interests held therein by, the aforesaid nationals of foreign countries.

All determinations and all action required by law, including appropriate consultation and certification, having been made and taken, and, it being deemed necessary in the national interest,

There is hereby vested in the Attorney General of the United States the property described in subparagraph 2 hereof, to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States.

The term "national" as used herein shall have the meaning prescribed in section 10 of Executive Order 9193, as amended.

Executed at Washington, D. C., on January 9, 1948.

For the Attorney General.

[SEAL] DAVID L. BAZELON,
Assistant Attorney General,
Director, Office of Alien Property.

EXHIBIT A

| Column 1 | Column 2 | Column 3 | Column 4 | Column 5 |
|----------------|---|--|--|---|
| Copyright Nos. | Titles of works | Names and last known nationalities of authors | Names and last known addresses of owners of copyrights | Identified persons whose interests are being vested |
| Unknown..... | On the Problem of the Plateau. 1933. (Part of series: Ergebnisse der Mathematik und ihrer Grenzgebiete). Vol. 2, No. 2. | Tiber Rado (nationality not established). | Julius Springer, Berlin, Germany (nationality German). | Owner. |
| Do..... | Grundbegriffe der Wahrscheinlichkeitsrechnung. 1933. (Part of series: Ergebnisse der Mathematik und ihrer Grenzgebiete). Vol. 2, No. 3. | A. Kolomegoreff (nationality not established). |do..... | Do. |
| Do..... | The Theory of Matrices. 1933. (Part of series: Ergebnisse der Mathematik und ihrer Grenzgebiete). Vol. 2, No. 5. | C. C. MacDuffee (nationality not established). |do..... | Do. |
| Do..... | Theory of Linear connections. 1934. (Part of series: Ergebnisse der Mathematik und ihrer Grenzgebiete). Vol. 3, No. 2. | D. J. Struik (nationality not established). |do..... | Do. |
| Do..... | Algebraic Surfaces. 1934. (Part of series: Ergebnisse der Mathematik und ihrer Grenzgebiete). Vol. 3, No. 5. | Oscar Zariski (nationality not established). |do..... | Do. |
| Do..... | Subharmonic Functions. 1937. (Part of series: Ergebnisse der Mathematik und ihrer Grenzgebiete). Vol. 5, No. 1. | Tiber Rado (nationality not established). |do..... | Do. |

[F. R. Doc. 48-5701; Filed, June 24, 1948; 8:54 a. m.]

[Vesting Order 500A-227]

COPYRIGHTS OF JULIUS SPRINGER, GERMAN NATIONAL

Under the authority of the Trading With the Enemy Act, as amended, Executive Order 9193, as amended, and Executive Order 9788, and pursuant to law, after investigation, it is hereby found:

1. That the persons (including individuals, partnerships, associations, cor-

porations or other business organizations) referred to or named in Column 5 of Exhibit A attached hereto and made a part hereof and whose last known addresses are listed in said Exhibit A as being in a foreign country (the names of which persons are listed (a) in Column 3 of said Exhibit A as the authors of the works, the titles of which are listed in Column 2, and the copyright numbers, if any, of which are listed in Column 1, re-

spectively, of said Exhibit A, and/or (b) in Column 4 of said Exhibit A as the owners of the copyrights, the numbers, if any, of which are listed in Column 1, and covering works the titles of which are listed in Column 2, respectively, of said Exhibit A, and/or (c) in Column 5 of said Exhibit A as others owning or claiming interests in such copyrights) are residents of, or are organized under the laws of, or have their principal places of business in, such

NOTICES

foreign country and are nationals thereof;

2. That all right, title, interest and claim of whatsoever kind or nature, under the statutory and common law of the United States and of the several States thereof, of the persons referred to in Column 5 of said Exhibit A, and also of all other persons (including individuals, partnerships, associations, corporations or other business organizations) whether or not named elsewhere in this Order including said Exhibit A, who are residents of, or which are organized under the laws of or have their principal places of business in, Germany or Japan, and are nationals of such foreign countries, in, to and under the following:

a. The copyrights, if any, described in said Exhibit A,

b. Every copyright, claim of copyright and right to copyright in the works described in said Exhibit A and in every issue, edition, publication, republication, translation, arrangement, dramatization and revision thereof, in whole or in part, of whatsoever kind or nature, and of all other works designated by the titles therein set forth, whether or not filed

with the Register of Copyrights or otherwise asserted, and whether or not specifically designated by copyright number,

c. Every license, agreement, privilege, power and right of whatsoever nature arising under or with respect to the foregoing,

d. All monies and amounts, and all rights to receive monies and amounts, by way of royalty, share of profits or other emolument, accrued or to accrue, whether arising pursuant to law, contract or otherwise, with respect to the foregoing,

e. All rights of renewal, reversion or reversioning, if any, in the foregoing, and

f. All causes of action accrued or to accrue at law or in equity with respect to the foregoing, including but not limited to the rights to sue for and recover all damages and profits and to request and receive the benefits of all remedies provided by common law or statute for the infringement of any copyright or the violation of any right or the breach of any obligation described in or affecting the foregoing,

is property of, and is property payable or held with respect to copyrights or rights related thereto in which interests are held by, and such property itself constitutes interests held therein by, the aforesaid nationals of foreign countries.

All determinations and all action required by law, including appropriate consultation and certification, having been made and taken, and, it being deemed necessary in the national interest,

There is hereby vested in the Attorney General of the United States the property described in subparagraph 2 hereof, to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States.

The term "national" as used herein shall have the meaning prescribed in section 10 of Executive Order 9193, as amended.

Executed at Washington, D. C., on January 9, 1948.

For the Attorney General.

[SEAL] DAVID L. BAZELON,
Assistant Attorney General,
Director Office of Alien Property.

EXHIBIT A

| Column 1 | Column 2 | Column 3 | Column 4 | Column 5 |
|----------------|---|--|--|---|
| Copyright Nos. | Titles of works | Names and last known nationalities of authors | Names and last known addresses of owners of copyrights | Identified persons whose interests are being vested |
| Unknown | Berichte des Ausschuss für Versuche im Stahlbau Ausgabe B, Heft 4: Versuche zur Ermittlung der Kriechspannungen für Verschiedene Baustähle. 1930. | W Rein (nationality not established) | Julius Springer, Berlin, Germany (nationality German). | Owner. |
| Do | Die Kathodenstrahlrohre und ihre Anwendung in der Schwachstromtechnik. 1933. | Manfred von Ardenne (nationality not established). | do | Do. |
| A. For. 1234 | Lichtelektrische Erscheinungen. (Struktur der Materie-VIII). (c 1929). 1928. | Bernhard von Gudden (nationality not established). | do | Do. |
| Unknown | Elektrische Energiewirtschaft. 1936. | Ruppert Schneider und Guenter Schnaus (nationalities not established). | do | Do. |
| A. For. 38937 | Fidioreszenz und Phosphoreszenz. 1928. | Peter Pringsheim (nationality not established). | do | Do. |
| Unknown | Von Zahlen und Figuren. First edition. 1933. | Hans Rademacher and O. Toeplitz (nationalities not established). | do | Do. |
| Do | Grundzüge der mehrdimensionalen Differential-geometrie in direkter Darstellung. First edition. 1922. | D. J. Struik (nationality not established). | do | Do. |

[F. R. Doc. 48-5702; Filed, June 24, 1948; 8:54 a. m.]

[Vesting Order 500A-228]

COPYRIGHTS OF JULIUS SPRINGER, GERMAN NATIONAL

Under the authority of the Trading With the Enemy Act, as amended, Executive Order 9193, as amended, and Executive Order 9788, and pursuant to law, after investigation, it is hereby found:

1. That the persons (including individuals, partnerships, associations, corporations or other business organizations) referred to or named in Column 5 of Exhibit A attached hereto and made a part hereof and whose last known addresses are listed in said Exhibit A as being in a foreign country (the names of which persons are listed (a) in Column 3 of said Exhibit A as the authors of the works, the titles of which are listed in Column 2, and the copyright numbers, if any, of which are listed in Column 1, respectively, of said Exhibit A, and/or (b) in Column 4 of said Exhibit A as the owners of the copyrights, the numbers, if any,

of which are listed in Column 1, and covering works the titles of which are listed in Column 2, respectively, of said Exhibit A, and/or (c) in Column 5 of said Exhibit A as others owning or claiming interests in such copyrights) are residents of, or are organized under the laws of, or have their principal places of business in, such foreign country and are nationals thereof;

2. That all right, title, interest and claim of whatsoever kind or nature, under the statutory and common law of the United States and of the several States thereof, of the persons referred to in Column 5 of said Exhibit A, and also of all other persons (including individuals, partnerships, associations, corporations or other business organizations) whether or not named elsewhere in this Order including said Exhibit A, who are residents of, or which are organized under the laws of or have their principal places of business in, Germany or Japan, and are na-

tionals of such foreign countries, in, to and under the following:

a. The copyrights, if any, described in said Exhibit A,

b. Every copyright, claim of copyright and right to copyright in the works described in said Exhibit A and in every issue; edition, publication, republication, translation, arrangement, dramatization and revision thereof, in whole or in part, of whatsoever kind or nature, and of all other works designated by the titles therein set forth, whether or not filed with the Register of Copyrights or otherwise asserted, and whether or not specifically designated by copyright number.

c. Every license, agreement, privilege, power and right of whatsoever nature arising under or with respect to the foregoing,

d. All monies and amounts, and all rights to receive monies and amounts, by way of royalty, share of profits or

other emolument, accrued or to accrue, whether arising pursuant to law, contract or otherwise, with respect to the foregoing,

e. All rights of renewal, reversion or reversioning, if any, in the foregoing, and

f. All causes of action accrued or to accrue at law or in equity with respect to the foregoing, including but not limited to the rights to sue for and recover all damages and profits and to request and receive the benefits of all remedies provided by common law or statute for the infringement of any copyright or the violation of any right or the breach of

any obligation described in or affecting the foregoing,

is property of, and is property payable or held with respect to copyrights or rights related thereto in which interests are held by, and such property itself constitutes interests held therein by, the aforesaid nationals of foreign countries.

All determinations and all action required by law, including appropriate consultation and certification, having been made and taken, and, it being deemed necessary in the national interest,

There is hereby vested in the Attorney General of the United States the prop-

erty described in subparagraph 2 hereof, to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States.

The term "national" as used herein shall have the meaning prescribed in section 10 of Executive Order No. 9193, as amended.

Executed at Washington, D. C., on January 9, 1948.

For the Attorney General.

[SEAL] DAVID L. BAZELON,
Assistant Attorney General,
Director Office of Alien Property.

EXHIBIT A

| Column 1 | Column 2 | Column 3 | Column 4 | Column 5 |
|----------------|--|---|--|---|
| Copyright Nos. | Titles of works | Names and last known nationalities of authors | Names and last known addresses of owners of copyrights | Identified persons whose interests are being vested |
| Unknown..... | Tensorrechnung. 1 Teil "Tensor-Algebra". 2 Teil, "Analysis." 3 Teil, "Anwendung." (1945 or 1946). First edition. | A. Duschek (nationality not established). | Julius Springer, Berlin, Germany (nationality German). | Owner. |
| Do..... | Milchwirtschaftliche Forschungen. 1925 and 1932. (Periodical). | W. Grimmer, Editor (nationality not established). | do..... | Do. |

[F. R. Doc. 48-5703; Filed, June 24, 1948; 8:54 a. m.]

[Vesting Order 11438]

DR. ERWIN HEINRICH AUGUST PETER SCHULTZ

In re: Bank account owned by Dr. Erwin Heinrich August Peter Schultz. F-28-28830-A-1.

Under the authority of the Trading With the Enemy Act, as amended, Executive Order 9193, as amended, and Executive Order 9788, and pursuant to law, after investigation, it is hereby found:

1. That Dr. Erwin Heinrich August Peter Schultz, whose last known address is (24a) Hamburg 39, Flemingstra 11, III, Germany, is a resident of Germany and a national of a designated enemy country (Germany)

2. That the property described as follows: That certain debt or other obligation of First National Bank of Boston, 67 Milk Street, Boston, Massachusetts, arising out of an account entitled "Ather-ton N. Hunt, Agent," maintained at the State Street Branch of the aforesaid bank located at 50 State Street, Boston, Massachusetts, and any and all rights to demand, enforce and collect the same,

is property within the United States owned or controlled by, payable or deliverable to, held on behalf of or on account of, or owing to, or which is evidence of ownership or control by, Dr. Erwin Heinrich August Peter Schultz, the aforesaid national of a designated enemy country (Germany)

and it is hereby determined:

3. That to the extent that the person named in subparagraph 1 hereof is not within a designated enemy country, the national interest of the United States requires that such person be treated as a national of a designated enemy country (Germany).

All determinations and all action required by law, including appropriate consultation and certification, having been made and taken, and, it being deemed necessary in the national interest,

There is hereby vested in the Attorney General of the United States the property described above, to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of Executive Order 9193, as amended.

Executed at Washington, D. C., on June 10, 1948.

For the Attorney General.

[SEAL] DAVID L. BAZELON,
Assistant Attorney General,
Director Office of Alien Property.

[F. R. Doc. 48-5757; Filed, June 25, 1948; 8:51 a. m.]

[Vesting Order 500A-229]

COPYRIGHTS OF CERTAIN GERMAN NATIONALS

Under the authority of the Trading With the Enemy Act, as amended, Executive Order 9193, as amended, and Executive Order 9788, and pursuant to law, after investigation, it is hereby found:

1. That the persons (including individuals, partnerships, associations, corporations or other business organizations) referred to or named in Column 5 of Exhibit A attached hereto and made a part hereof and whose last known addresses are listed in said Exhibit A as being in a foreign country (the names

of which persons are listed (a) in Column 3 of said Exhibit A as the authors of the works, the titles of which are listed in Column 2, and the copyright numbers, if any, of which are listed in Column 1, respectively, of said Exhibit A, and/or (b) in Column 4 of said Exhibit A as the owners of the copyrights, the numbers, if any, of which are listed in Column 1, and covering works the titles of which are listed in Column 2, respectively, of said Exhibit A, and/or (c) in Column 5 of said Exhibit A as others owning or claiming interests in such copyrights) are residents of, or are organized under the laws of, or have their principal places of business in, such foreign country and are nationals thereof;

2. That all right, title, interest and claim of whatsoever kind or nature, under the statutory and common law of the United States and of the several States thereof, of the persons referred to in Column 5 of said Exhibit A, and also of all other persons (including individuals, partnerships, associations, corporations or other business organizations) whether or not named elsewhere in this Order including said Exhibit A, who are residents of, or which are organized under the laws of or have their principal places of business in, Germany or Japan, and are nationals of such foreign countries, in, to and under the following:

a. The copyrights, if any, described in said Exhibit A,

b. Every copyright, claim of copyright and right to copyright in the works described in said Exhibit A and in every issue, edition, publication, republication, translation, arrangement, dramatization and revision thereof, in whole or in part, of whatsoever kind or nature, and of all other works designated by the titles

therein set forth, whether or not filed with the Register of Copyrights or otherwise asserted, and whether or not specifically designated by copyright number,

c. Every license, agreement, privilege, power and right of whatsoever nature arising under or with respect to the foregoing,

d. All monies and amounts, and all rights to receive monies and amounts, by way of royalty, share of profits or other emolument, accrued or to accrue, whether arising pursuant to law, contract or otherwise, with respect to the foregoing,

e. All rights of renewal, reversion or reversioning, if any, in the foregoing, and

f. All causes of action accrued or to accrue at law or in equity with respect

to the foregoing, including but not limited to the rights to sue for and recover all damages and profits and to request and receive the benefits of all remedies provided by common law or statute for the infringement of any copyright or the violation of any right or the breach of any obligation described in or affecting the foregoing,

is property of, and is property payable or held with respect to copyrights or rights related thereto in which interests are held by, and such property itself constitutes interests held therein by, the aforesaid nationals of foreign countries.

All determinations and all action required by law, including appropriate consultation and certification, having been made and taken, and, it being

deemed necessary in the national interest,

There is hereby vested in the Attorney General of the United States the property described in subparagraph 2 hereof, to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States.

The term "national" as used herein shall have the meaning prescribed in section 10 of Executive Order 9193, as amended.

Executed at Washington, D. C., on January 29, 1948.

For the Attorney General.

[SEAL] DAVID L. BAZELON,
Assistant Attorney General,
Director, Office of Alien Property.

EXHIBIT A

| Column 1 | Column 2 | Column 3 | Column 4 | Column 5 |
|--------------------|---|--|---|---|
| Copyright Nos. | Titles of works | Names and last known nationalities of authors | Names and last known addresses of owners of copyrights | Identified persons whose interests are being vested |
| A. For. 44509..... | Dämonen und Zauber im Inkareich. Aus dem Khetschua Übersetzt und eingeleitet von dr. H. Trimborn. 1939. | Francisco de Avila (nationality not established). | K. F. Koehler Verlag Leipzig, Germany (nationality German). | Owner. |
| Unknown..... | Der Ultraschall und seine Anwendung in Wissenschaft und Technik. 1937 and 1939. | Ludwig Bergmann (nationality not established). | VDI-Verlag G. m. b. H. Berlin, Germany (nationality German). | Do. |
| Do..... | Galvanische Elemente und Akkumulatoren, Darstellung der Theorie und Technik, nebst Patentregister. 1932. | Carl E. Drucker and A. Finkelstein (nationalities not established). | Akademische Verlagsgesellschaft m. b. H., Leipzig, Germany (nationality German). | Do. |
| Do..... | Der Kalkstickstoff in Wissenschaft, Technik und Wirtschaft. (Sammlung chemischer und chemischtechnischer Vorträge). Neue Folge. Heft 6. 1931. | Dr. H. Heinrich Franck, Dr. W. Makkus, and F. Janke (nationalities not established). | Ferdinand Enke, Stuttgart, Germany (nationality German). | Do. |
| Do..... | Farbenchemisches Praktikum. 1928. | Dr. Richard Mohlau and Dr. Hans Th. Bucherer (nationalities not established). | Walter de Gruyter & Co. Berlin and Leipzig, Germany (nationality German). | Do. |
| Do..... | Hohe Schule der Musik, Handbuch der gesamten Musikpraxis. Vol. 2 (1935) and Vol. 4 (1938). | Dr. Joseph Müller-Blattau (nationality not established). | Akademische Verlagsgesellschaft Athenion m. b. H., Potsdam, Germany (nationality German). | Do. |
| Do..... | Chemische Technologie der Organischen Farbstoffe. 1925. | Dr. E. Ristenpart (nationality not established). | Johann Ambrosius Barth, Leipzig, Germany (nationality German). | Do. |
| Do..... | Johann Sebastian Bach, 1935. | Dr. Rudolf Steglich (nationality not established). | Akademische Verlagsgesellschaft Athenion m. b. H., Potsdam, Germany (nationality German). | Do. |

[F. R. Doc. 48-5704; Filed, June 24, 1948; 8:54 a. m.]

[Vesting Order 500A-230]

COPYRIGHTS OF L. STAACKMANN, GERMAN NATIONAL

Under the authority of the Trading With the Enemy Act, as amended, Executive Order 9193, as amended, and Executive Order 9788, and pursuant to law, after investigation, it is hereby found:

1. That the persons (including individuals, partnerships, associations, corporations or other business organizations) referred to or named in Column 5 of Exhibit A attached hereto and made a part hereof and whose last known addresses are listed in said Exhibit A as being in a foreign country (the names of which persons are listed (a) in Column 3 of said Exhibit A as the authors of the works, the titles of which are listed in Column 2, and the copyright numbers, if any, of which are listed in Column 1, respectively, of said Exhibit A, and/or (b) in Column 4 of said Exhibit A as the owners of the copyrights, the numbers, if any, of which are listed in Column 1, and covering works the titles of which are listed in Column 2, respectively, of said Exhibit A and/or (c) in Column 5 of said Exhibit A as others owning or claiming interests in such copyrights), are res-

idents of, or are organized under the laws of, or have their principal places of business in, such foreign country and are nationals thereof;

2. That all right, title, interest and claim of whatsoever kind or nature, under the statutory and common law of the United States and of the several States thereof, of the persons referred to in Column 5 of said Exhibit A, and also of all other persons (including individuals, partnerships, associations, corporations or other business organizations) whether or not named elsewhere in this Order including said Exhibit A, who are residents of, or which are organized under the laws of or have their principal places of business in, Germany or Japan, and are nationals of such foreign countries, in, to and under the following:

a. The copyrights, if any, described in said Exhibit A,

b. Every copyright, claim of copyright and right to copyright in the works described in said Exhibit A and in every issue; edition, publication, republication, translation, arrangement, dramatization and revision thereof, in whole or in part, of whatsoever kind or nature, and of all other works designated by the titles therein set forth, whether or not

filed with the Register of Copyrights or otherwise asserted, and whether or not specifically designated by copyright number,

c. Every license, agreement, privilege, power and right of whatsoever nature arising under or with respect to the foregoing,

d. All monies and amounts, and all rights to receive monies and amounts, by way of royalty, share of profits or other emolument, accrued or to accrue, whether arising pursuant to law, contract or otherwise, with respect to the foregoing,

e. All rights of renewal, reversion or reversioning, if any, in the foregoing, and

f. All causes of action accrued or to accrue at law or in equity with respect to the foregoing, including but not limited to the rights to sue for and recover all damages and profits and to request and receive the benefits of all remedies provided by common law or statute for the infringement of any copyright or the violation of any right or the breach of any obligation described in or affecting the foregoing,

is property of, and is property payable or held with respect to copyrights or

rights related thereto in which interests are held by, and such property itself constitutes interests held therein by, the aforesaid nationals of foreign countries.

All determinations and all action required by law, including appropriate consultation and certification, having been made and taken, and, it being deemed necessary in the national interest,

There is hereby vested in the Attorney General of the United States the property described in subparagraph 2 hereof, to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States.

The term "national" as used herein shall have the meaning prescribed in

section 10 of Executive Order 9193, as amended.

Executed at Washington, D. C., on January 29, 1948.

For the Attorney General.

[SEAL] DAVID L. BAZELON,
Assistant Attorney General,
Director Office of Alien Property.

EXHIBIT A

| Column 1 | Column 2 | Column 3 | Column 4 | Column 5 |
|----------------|----------------------------|--|--|---|
| Copyright Nos. | Titles of works | Names and last known nationalities of authors | Names and last known addresses of owners of copyrights | Identified persons whose interests are being vested |
| Unknown..... | Der Weibstenfel. 1914..... | Karl Scheenherr (nationality not established). | L. Stachmann, Leipzig, Germany (nationality German). | Owner. |

[F. R. Doc. 48-5705; Filed, June 24, 1948; 8:51 a. m.]

[Vesting Order 11441]

PHILIP STRAUCH

In re: Debts owing to Philip Strauch, also known as Phillip Strauch.

Under the authority of the Trading With the Enemy Act, as amended, Executive Order 9193, as amended, and Executive Order 9783, and pursuant to law, after investigation, it is hereby found:

1. That Philip Strauch, also known as Phillip Strauch, whose last known address is Alsfield (Hessen) Germany, is a resident of Germany and a national of a designated enemy country (Germany)

2. That the property described as follows:

a. Those certain debts or other obligations owing to Philip Strauch, also known as Phillip Strauch, by The Mortgage Corporation of New York, 42 Broadway, New York, New York, in the total amount of \$11.18, said debts or other obligations being evidenced by two checks in amount of \$5.59 each, drawn by the aforesaid corporation upon the Lawyers Trust Company, 160 Broadway, New York, New York, to the order of Philip Strauch, said checks numbered S 344477 and S 367995, and dated September 28, 1939 and March 18, 1940, respectively, and presently in the custody of the Attorney General of the United States in an account numbered 28-200279, together with any and all accruals to the aforesaid debts or other obligations, and any and all rights to demand, enforce and collect the same, and all rights in and under the aforesaid checks, including the right to present the same for payment,

b. That certain debt or other obligation owing to Philip Strauch, also known as Phillip Strauch, by The Mortgage Corporation of New York, 42 Broadway, New York, New York, in the amount of \$12.06, said debt or other obligation being evidenced by a check drawn by the aforesaid corporation to the order of Philip Strauch, said check dated January 29, 1940, and presently in the custody of Henry Gardner, 515 East 87th Street, New York 28, New York, together with any and all accruals to the aforesaid debt or other obligation, and any and all rights to demand, enforce and collect the

same, and all rights in, to and under the aforesaid check, including the right to present the same for payment,

is property within the United States owned or controlled by, payable or deliverable to, held on behalf of or on account of, or owing to, or which is evidence of ownership or control by, the aforesaid national of a designated enemy country (Germany),

and it is hereby determined:

3. That to the extent that the person named in subparagraph 1 hereof is not within a designated enemy country, the national interest of the United States requires that such person be treated as a national of a designated enemy country (Germany)

All determinations and all action required by law, including appropriate consultation and certification, having been made and taken, and, it being deemed necessary in the national interest,

There is hereby vested in the Attorney General of the United States the property described above, to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of Executive Order 9193, as amended.

Executed at Washington, D. C., on June 10, 1948.

For the Attorney General.

[SEAL] DAVID L. BAZELON,
Assistant Attorney General,
Director Office of Alien Property.

[F. R. Doc. 48-5753; Filed, June 25, 1948; 8:51 a. m.]

[Vesting Order 590A-231]

COPYRIGHTS OF INSEL-VERLAG, GERMAN NATIONAL

Under the authority of the Trading With the Enemy Act, as amended, Executive Order 9193, as amended, and

Executive Order 9783, and pursuant to law, after investigation, it is hereby found:

1. That the persons (including individuals, partnerships, associations, corporations or other business organizations) referred to or named in Column 5 of Exhibit A attached hereto and made a part hereof and whose last known addresses are listed in said Exhibit A as being in a foreign country (the names of which persons are listed (a) in Column 3 of said Exhibit A as the authors of the works, the titles of which are listed in Column 2, and the copyright numbers, if any, of which are listed in Column 1, respectively, of said Exhibit A, and/or (b) in Column 4 of said Exhibit A as the owners of the copyrights, the numbers, if any, of which are listed in Column 1, and covering works the titles of which are listed in Column 2, respectively, of said Exhibit A, and/or (c) in Column 5 of said Exhibit A as others owning or claiming interests in such copyrights) are residents of, or are organized under the laws of, or have their principal places of business in, such foreign country and are nationals thereof;

2. That all right, title, interest and claim of whatsoever kind or nature, under the statutory and common law, of the United States and of the several States thereof, of the persons referred to in Column 5 of said Exhibit A, and also of all other persons (including individuals, partnerships, associations, corporations or other business organizations) whether or not named elsewhere in this Order including said Exhibit A, who are residents of, or which are organized under the laws of or have their principal places of business in, Germany or Japan, and are nationals of such foreign countries, in, to and under the following:

a. The copyrights, if any, described in said Exhibit A,

b. Every copyright, claim of copyright and right to copyright in the works described in said Exhibit A and in every issue, edition, publication, republication, translation, arrangement, dramatization and revision thereof, in whole or in part, of whatsoever kind or nature, and of

all other works designated by the titles therein set forth, whether or not filed with the Register of Copyrights or otherwise asserted, and whether or not specifically designated by copyright number,

c. Every license, agreement, privilege, power and right of whatsoever nature arising under or with respect to the foregoing,

d. All monies and amounts, and all rights to receive monies and amounts, by way of royalty, share of profits or other emolument, accrued or to accrue, whether arising pursuant to law, contract or otherwise, with respect to the foregoing,

e. All rights of renewal, reversion or reversioning, if any, in the foregoing, and

f. All causes of action accrued or to accrue at law or in equity with respect

to the foregoing, including but not limited to the rights to sue for and recover all damages and profits and to request and receive the benefits of all remedies provided by common law or statute for the infringement of any copyright or the violation of any right or the breach of any obligation described in or affecting the foregoing,

as property of, and is property payable or held with respect to copyrights or rights related thereto, in which interests are held by, and such property itself constitutes interests held therein by, the aforesaid nationals of foreign countries.

All determinations and all action required by law, including appropriate consultation and certification, having been made and taken, and, it being deemed necessary in the national interest,

There is hereby vested in the Attorney General of the United States the property described in subparagraph 2 hereof, to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States.

The term "national" as used herein shall have the meaning prescribed in section 10 of Executive Order 9193, as amended.

Executed at Washington, D. C., on February 5, 1948.

For the Attorney General.

[SEAL] DAVID L. BAZELON,
Assistant Attorney General,
Director, Office of Alien Property.

EXHIBIT A

| Column 1 | Column 2 | Column 3 | Column 4 | Column 5 |
|----------------|---|---|--|---|
| Copyright Nos. | Titles of works | Names and last known nationalities of authors | Names and last known addresses of owners of copyrights | Identified persons whose interests are being vested |
| Unknown | Ausgewählte Gedichte | Rainer Maria Rilke (nationality not established). | Insel-Verlag, Leipzig, Germany (nationality German). | Owner. |
| Do | Ausgewählte Werke. Zweiter Band: Prosa und Uebersetzungen. 1938. | do | do | Do. |
| Do | Erste Gedichte. 1921. | do | do | Do. |
| Do | Das Buch der Bilder. 1922. | do | do | Do. |
| Do | Die frühen Gedichte. 1920. | do | do | Do. |
| Do | Geschichten von lieben Gott. 1922. | do | do | Do. |
| Do | Neue Gedichte. 1912. | do | do | Do. |
| Do | Der neuen Gedichte anderer Teil. 1920. | do | do | Do. |
| Do | Das Stundenbuch enthaltend die drei Bücher: Vom monchischen Leben, Von der Pilgerschaft, Von der Armuth und vom Tode. 1923. | do | do | Do. |

[F. R. Doc. 48-5706; Filed, June 24, 1948; 8:54 a. m.]

[Vesting Order 11442]

MORITZ R. THOMAS

In re: Voting trust certificates owned by Moritz R. Thomas. F-28-8043-D-1.

Under the authority of the Trading With the Enemy Act, as amended, Executive Order 9193, as amended, and Executive Order 9788, and pursuant to law, after investigation, it is hereby found:

1. That Moritz R. Thomas, whose last known address is Auerbacher Str. 10 Lengenfeld, Saxony, Germany, is a resident of Germany and a national of a designated enemy country (Germany)

2. That the property described as follows: All rights in and under two (2) voting trust certificates for sixty-six and two-thirds (66 $\frac{2}{3}$) shares of \$10.00 par value common stock of St. Helens Pulp & Paper Company, St. Helens, Oregon, a corporation organized under the laws of the State of Oregon, bearing the numbers

127 for fifty (50) shares and 714 for sixteen and two-thirds (16 $\frac{2}{3}$) shares, registered in the name of Mr. Moritz R. Thomas, together with all declared and unpaid dividends, and any and all rights under outstanding dividend checks, and all rights under a 100 percent stock dividend on the aforesaid stock,

is property within the United States owned or controlled by, payable or deliverable to, held on behalf of or on account of, or owing to, or which is evidence of ownership or control by, the aforesaid national of a designated enemy country (Germany)

and it is hereby determined:

3. That to the extent that the person named in subparagraph 1 hereof is not within a designated enemy country, the national interest of the United States requires that such person be treated as a national of a designated enemy country (Germany)

All determinations and all action required by law, including appropriate consultation and certification, having been made and taken, and, it being deemed necessary in the national interest,

There is hereby vested in the Attorney General of the United States the property described above, to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of Executive Order 9193, as amended.

Executed at Washington, D. C., on June 10, 1948.

For the Attorney General.

[SEAL] DAVID L. BAZELON,
Assistant Attorney General,
Director, Office of Alien Property.

[F. R. Doc. 48-5759; Filed, June 25, 1948; 8:51 a. m.]